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No. 49] NEW DELHI, SATURDAY, DECEMBER 3, 1977/AGRAHAYANA 12, 1899

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(Other than the Administrations of Union Territories)

गृह मंत्रालय

नई दिल्ली, 5 अक्टूबर, 1977

का० आ० 3669.—केन्द्रीय सरकार, केन्द्रीय औद्योगिक सुरक्षा बल अधिनियम, 1968 (1968 का 50) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सुरक्षा बल नियम, 1969 में निम्नलिखित संशोधन और करणी है, अर्थात् :—

1 (1) इन नियमों का नाम केन्द्रीय औद्योगिक सुरक्षा बल (संशोधन) नियम, 1977 है।

(2) ये राजपत्र में प्रकाशन की तारीख की प्रवृत्त होंगे।

2. केन्द्रीय औद्योगिक सुरक्षा बल, नियम, 1969 में नियम 60 के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात् :—

“60. चिकित्सीय सुविधाएं :—पर्यवेक्षी अधिकारी तथा बल के सदस्य केन्द्रीय सरकार स्वास्थ्य योजना की प्रमुखियाओं के हकदार होंगे, और उन स्थानों पर, जहां ऐसी प्रमुखियाएं उपलब्ध नहीं हैं, वे केन्द्रीय सेवा (चिकित्सा परिचर्या) नियम, 1944 के अधीन नियंत्रित होंगे।

परन्तु जब उनकी निगुक्ति किसी पब्लिक सेक्टर उपक्रम में हो जाती है, तब—

(i) जहां ऐसी पब्लिक सेक्टर उपक्रम अपने कर्मचारियों को चिकित्सा प्रमुखिया उपलब्ध करता है वहां ऐसे अधिकारी और बल के सदस्य ऐसी प्रमुखिया निःशुल्क प्राप्त करने के हकदार होंगे।

(ii) किसी अन्य दशा में ऐसे पब्लिक सेक्टर उपक्रमों का प्राधिकृत चिकित्सा परिचारक ऐसे अधिकारियों और सेवा के बल के सदस्यों के लिए, केन्द्रीय सेवा (चिकित्सा परिचर्या) नियम, 1944 के प्रयोजनों के लिए, प्राधिकृत चिकित्सा परिचारक होगा, [संख्या सी-18 098/1/73-मूल और आर(कामिक-1)]

सत्य देव गुप्ता, अधीक्षक सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 5th October, 1977

S.O. 3669.—In exercise of the powers conferred by section 22 of the Central Industrial Security Force Act, 1968 (50 of 1968), the Central Government hereby makes the following rules further to amend the Central Industrial Security Force Rules, 1969, namely :—

1. (1) These rules may be called the Central Industrial Security Force (Amendment) Rules, 1977.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Central Industrial Security Force Rules, 1969, for rule 60, the following rule shall be substituted, namely :—

“60 Medical facilities.—Supervisory Officers and members of the Force shall be entitled to the facilities of the Central Government Health Scheme and in places where these facilities are not available, they shall be governed by the Central Services (Medical Attendance) Rules, 1944 :

Provided that when they are deployed in a public sector undertaking,—

- (i) in a case where such public sector undertaking provides medical facilities to its employees, such officers and members of the Force shall be entitled to avail such facilities free of charge; and
- (ii) in any other case, the authorised medical attendant of such public sector undertaking shall be the authorised medical attendant for such officers and members of the Force for the purposes of the Central Services (Medical Attendance) Rules, 1944."

[No. C-18098//173-L&R(Pers.)]

S. D. GUPTA, Under Secy.

नई दिल्ली, 3 नवम्बर, 1977

पुनः-पत्र

क्र० आ० 3670.—गृह मंत्रालय की अधिसूचना सं० बी० सी० 12013/2/76-एम सी टी-5 दिनांक 15 सितम्बर, 1977 जो भारत के राजपत्र भाग II, खण्ड 3, उप खण्ड (ii) दिनांक 1 अक्तूबर, 1977 में क्र० आ० 3006 के अन्तर्गत प्रकाशित हुई है; पृष्ठ 3477 पर, पंक्ति 4 में 16-क के स्थान पर 16-ख पढ़ें।

[सं० बी० सी०-12013/2/76-एम सी टी-5]

मनमोहन कुमार सरखाना, उप सचिव

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 14 नवम्बर, 1977

क्र० आ० 3671.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परामर्श और अनुच्छेद 148 के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारतीय लेखा परीक्षा और लेखा विभागों में काम कर रहे व्यक्तियों की बाबत भारत के नियंत्रक महालेखा परीक्षक से परामर्श करने के पश्चात् सिविल पेशन (संरक्षीकरण) नियम में और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का नाम सिविल पेशन (संरक्षीकरण) अनुसंधान नियम, 1977 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 में नियम 14 में, उप नियम (8) को उसके खण्ड (क) के रूप में आक्षरार्थित किया जाएगा और इस प्रकार आक्षरार्थित खण्ड (क) के पश्चात् निम्नलिखित खण्ड अन्तःस्थापित किया जाएगा, अर्थात् :—

“(ख) सरकारी सेवक अपनी और से अपने मामले को प्रस्तुत करने के लिए राष्ट्रपति द्वारा इस निम्नलिखित समय-समय पर साधारण या विशेष आदेश द्वारा विनिर्दिष्ट शर्तों के अधीन रहने हुए किसी सेवानुसूक्त सरकारी सेवक की सहायता ले सकता है।”

[सं० 11012/21/77-स्था(ए)]

आर० सी० गुप्ता, उप सचिव

(Department of Personnel & A. R.)

New Delhi, the 14th November, 1977

S.O. 3671.—In exercise of the powers conferred by the proviso to article 309, and clause (5) of article 148, of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1965, namely :—

1. (1) These rules may be called the Central Civil Services (Classification, Control and Appeal) Fourth Amendment Rules, 1977.

(2) They shall come into force on the date of their publication in the official Gazette.

2. In rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, sub-rule (8) shall be lettered as clause (a) thereof, and after, clause (a) as so lettered, the following clauses shall be inserted namely :—

“(b) The Government servant may also take the assistance of a retired Government servant to present the case on his behalf, subject to such conditions as may be specified by the President from time to time by general or special order in this behalf.”

[No. 11012/21/77-Estt(A)]

R. C. GUPTA, Dy. Secy.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 8 अगस्त, 1977

आयकर

क्र० आ० 3672.—आय कर सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् सचिव विज्ञान तथा प्रयोगिकी विभाग, नई दिल्ली, ने आय-कर अधिनियम, 1961 की धारा 35 की उपधारा (2क) के प्रयोजनों के लिए निम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रमों का अनुमोदन किया है।

1. कार्यक्रम का नाम :

क्र० सं०	परियोजना का शीर्षक	अनुमानित लागत
1	2	3
1	क्षेत्र उत्सर्जक स्पेक्ट्रम और क्षेत्र आयनकणिका स्पेक्ट्रम के उपयोग से पृष्ठ अध्ययन	7,70,000
2	द्रव्यों के पृष्ठ अध्ययन की तकनीक	8,54,000
3	तनु फिल्मों के गुण-धर्म का अध्ययन (i) चुम्बकीय द्रव्यों और सूक्ष्मतरंग का प्रयोग (ii) वैद्युत संदीप्ति	6,40,000
4	द्रव्यों का लेसर इंटर फेरोमितीय अध्ययन	3,30,000
5	एल्यूमीना, एफ ई० पी०, टेनीफोन, मैग्नीज अक्षक और कांच के अध्ययन के लिए इलेक्ट्रान किरणपंज तकनीक	4,25,000
6	स्पंद एन० 2 लेसर से भरे गए समस्वरणशील रजक लेसर के साथ संदीप्ति अध्ययन	2,80,000
7	एक किरण पंज कणिका साधित्र की अधिकल्पना और परिष्करण तथा चार्ज ट्रांसफर यंत्रावली को समझने के लिए अणुओं की उच्च आयतिन दशाओं के स्पेक्ट्रम अध्ययन	3,35,000
8	आपन रोपण अध्ययन	3,40,000
9	नामकीय द्रव्यों प्रसार और द्रव्यों के विकिरण चित्रण के लिए (8-10) मि० वाट माइक्रोटोन एलेक्ट्रानत्वरक का उपयोग	4,49,000
10	द्रुत न्यूट्रान सक्रियता का विश्लेषण	2,50,000
11	संवरण धातुओं पर एकसरे उत्सर्जन, समासेयन प्रदीपित [स्पेक्ट्रम मापी का उपयोग करके आकमाइछों में समूह में धातुओं के सुचानकत्व की व्याख्या	20,11,000
12	टंगस्टम कार्बाइड की स्थिति की खोज	4,20,000

1	2	3
13. द्रव्यमान स्पेक्ट्रोमेट्री के उपयोग से, विद्युत उत्सर्जन, विश्रण (विकिरण) और विषम वैश्विक अधिर्माण	4,20,000	
14. (i) स्वाक्षित मिश्रणों और (ii) प्लाट हेयोग्लोबिन का मासिकार स्पेक्ट्रोमेट्री अध्ययन	3,70,000	
15. मोलकुलर गैस में इलेक्ट्रॉन तापमान विश्रान्ति दर का प्रयोगशाला मापमान	3,50,000	
2. आयोजन का स्थान—पुणे विश्वविद्यालय, पुणे		
3. आरम्भ और पूर्ण होने की तारीख—कार्यक्रमों के आरम्भ की तारीख से लगभग 5 वर्ष के भीतर		
4. अनुमानित लागत—उपरोक्त विवरण में कार्यक्रमों की लागत प्रत्येक कार्यक्रम के सामने दी गई है।		

पुणे विश्वविद्यालय पुणे, जहाँ कार्यक्रमों का आयोजन किया जा रहा है भारत सरकार के विन मन्त्रालय की अधिसूचना सं० 505 (फा० सं० 203/46/73 आई टी ए II) तारीख 4 दिसम्बर, 1973 द्वारा प्राय-कर अधिनियम, 1961 की धारा 35(i)(ii) के अधीन पहले ही अनु-मोदित किया जा चुका है।

[सं० 1921—फा० सं० 203/73/77/आई टी ए-II]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 8th August, 1977

INCOME-TAX

S.O. 3672.—It is hereby notified for general information that the following scientific research programme has been approved for the period specified below for the purposes of sub-section (2A) of Section 35 of the Income-tax Act, 1961 by the prescribed authority, the Secretary, Department of Science & Technology, New Delhi.

1. Name of the Programmes:

S. No.	Title of the Project	Estimated Outlay
1	2	3
1.	Surface studies using field emission spectrometry and field on mass-spectrometry	7,70,000
2.	Techniques for study of surface of materials	8,54,000
3.	Studies of thin film properties (i) Magnetic materials and microwave applications (ii) Electroluminescence	6,40,000
4.	Laser interferometric study of materials	3,30,000
5.	Electron beam technique for studying Alumina, FEP teflon, Mgo, Mica & Glasses	4,25,000
6.	Luminescence studies with tunable dye laser pumped with pulses N ₂ laser	2,80,000
7.	Design and fabrication of a beam foil apparatus and spectral study of highly ionised states of atoms for understanding the charge transfer mechanism	3,35,000
8.	Ion implantation Studies	3,40,000
9.	The use of the (8-10) MeV Microtron electron accelerator for nuclear materials Assay and Radiography of materials	4,49,000
10.	Fast Neutron Activation Analysis	3,90,000

1	2	3
11.	Elucidation of the semi-conductor to metal transition in Oxides of Transition Metals by using X-ray Emission Absorption/Flourescence, Spectroscopy	20,11,000
12.	Position Probe for Tungsten Carbide	4,20,000
13.	Studies of Electromigration, Diffusion, and Anisotropic Adsorption using the Mass Spectrometer	4,20,000
14.	Mossbauer Spectroscopic Studies of (i) Spinel Compounds, and (ii) Plant Haemoglobin	3,70,000
15.	Laboratory Measurements of Electron temperature relaxation rates in the Molecular Gases	3,50,000
2.	To be undertaken at:	University of Poona, Poona.
3.	Date of commencement and Completion.	Approximately 5 years from the date of Commencement of the respective programmes.
4.	Estimated cost.	The estimated cost of each programme is given against it in the above statement.

The University of Poona, Poona, where the programmes are being undertaken is an approved University under Section 35(1)(ii) of the Income-tax Act, 1961 vide Ministry of Finance Notification No. 505 (F. No. 203/46/73-JTA-II) dated 4th December, 1973.

[No. 1921—F. No. 203/73/77-IT A-II]

नई दिल्ली, 8 दिसम्बर 1977

फा० आ० 3673.—सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् सचिव, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने भौतिक अवस्था प्राकृतिक विज्ञान के क्षेत्र में प्राय-कर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के प्रयोजनों के लिए निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

- यह कि कोचीन विश्वविद्यालय, कोचीन, भौतिक अवस्था प्राकृतिक विज्ञान (कृषि/पशु पालन/मत्स्य पालन और दवाइयों के उत्पादन) के क्षेत्र में वैज्ञानिक अनुसंधान के लिए प्राप्त राशियों का हिस्सा पृथक् से रखेगा।
- उक्त विश्वविद्यालय प्रत्येक वित्तीय वर्ष के लिए अपने वैज्ञानिक अनुसंधान सम्बन्धी किया कर्णों की एक वार्षिक विवरणी विहित प्राधिकारी को प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूपों में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किए जाएं और उसे सूचित किए जाएं।

संस्था

कोचीन विश्वविद्यालय, कोचीन।

यह अधिसूचना एक जुलाई, 1977 में प्रकाशी होगी।

[सं० 1961—फा० सं० 203/106/77-आई टी ए-II]

जे० पी० शर्मा, उप सचिव

S.O. 3673.—It is hereby notified for general information that the institution mentioned below has been approved by the Secretary, the Department of Science & Technology, New Delhi, the prescribed authority for the purpose, of clause (ii) of sub-section (1) of Section 35 of the Income tax Act, 1961,

in the area of 'other natural or applied science', subject to the following conditions :—

- (i) that the University of Cochin, Cochin, will maintain a separate account of the sums received by it for scientific research in the field of natural or applied sciences (other than Agriculture/Animal Husbandry/Fisheries & Medicines).
- (ii) That the said University will furnish the annual returns of its Scientific Research Activities to the prescribed authority for every financial year in such forms as may be laid down and intimated to them for this purpose, by 30th April, each year

INSTITUTION

The University of Cochin, Cochin.

This notification takes effect from 1st July, 1977.

[No. 1961-F. No. 203/106/77-ITA-II]

J. P. SHARMA, Dy. Secy.

नई दिल्ली, 20 सितम्बर, 1977

क्र० प्र० 3674:—केन्द्रीय सरकार आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23ग) के खण्ड 4(v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, "श्रीमान महाराजन निरञ्जन जगद गुरु श्री माल्लिकार्जुन मुख्याराजेन्द्र महास्वामिनम्" को उक्त धारा के प्रयोजनों के लिए निष्पत्ति वर्ष 1972-73 के लिए तथा उस वर्ष से अधिसूचित करणी है।

[सं० 1981—फा० सं० 167/171/76-प्र० क(ए-1)]

एम० शास्त्री, अवर सचिव

New Delhi, the 20th September, 1977

S.O. 3674.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Srimanmaharaja Niranjana Jagadguru Sri Mallikarjuna Murugharajendra Mahaswaminam" for the purpose of the said section for and from the assessment year (s) 1972-73.

[No. 1981—F. No. 197/171/76-II(AI)]

M. SHASTRI, Under Secy.

नई दिल्ली, 1 अक्टूबर, 1977

क्र० प्र० 3675:—सम्पदा शुल्क अधिनियम, 1953 (1953 का अधिनियम XXXIV) की धारा 4 की उपधारा 2 (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा आदेश देती है कि अपीलीय महायुक्त आयकर आयुक्त, जिसे अपीलीय नियन्त्रक, सम्पदा शुल्क के रूप में नियुक्त किया गया है और जिसे दिनांक 26 जून, 1973 की अधिसूचना सं० 30/1973 फा० सं० 301/90/72-सं० शु० के माध्यम से सारणी की क्रम सं० 7 पर दर्शाया गया है, उसके पदनाम को निम्नानुसार पढ़ा जाय :—

सारणी

क्रम सं०	अपीलीय महायुक्त आयकर आयुक्त	अपीलीय नियन्त्रक सम्पदा-शुल्क
1	2	3
7.	बंगलौर रेंज-III, बंगलौर	बंगलौर

यह अधिसूचना 1-2-1975 से लागू हुई समझी जाएगी।

व्याख्यानिक टिप्पणी :

अपीलीय महायुक्त आयकर आयुक्त के पदनाम की अपीलीय महायुक्त आयुक्त, बंगलौर रेंज-III, बंगलौर के रूप में बदल दिये जाने के परिणामतः, अपीलीय नियन्त्रक, सम्पदा-शुल्क, बंगलौर के पदनाम में परिवर्तन करने के निमित्त इस अधिसूचना का जारी करना अनिवार्य हो गया है।

[सं० 59/77—फा० सं० 301/119/77-सं० शु०]

वी० साधु, अवर सचिव

New Delhi, the 1st October, 1977

S.O. 3675.—In exercise of the powers conferred by sub-section 2(A) of Section 4 of the Estate Duty Act, 1953 (Act XXXIV of 1953) the Central Government hereby orders that the designation of the Appellate Assistant Commissioner of Income-tax who is appointed as Appellate Controller of Estate Duty appearing at Serial No. 7 of the table appended to the Notification No. 30/1973 F. No. 301/90/72-ED dated 26th June, 1973 be read as under :—

TABLE

Sl. No.	Appellate Assistant Commissioner of Income-tax.	Appellate Controller of Estate Duty
(1)	(2)	(3)
7.	Bangalore Range-III, Bangalore.	Bangalore.

This Notification shall be deemed to have taken effect from 1-2-1975.

EXPLANATORY NOTE

This Notification has become necessary to change the designation of the Appellate Controller of Estate Duty, Bangalore consequent on the change in the designation of the A. A. C. of Income-tax as A. A. C. Bangalore Range-III, Bangalore.

[No. 59/77—F. No. 301/119/77-E.D.]

V MATHUR, Under Secy.

आदेश

नई दिल्ली, 7 नवम्बर, 1977

स्टाम्प

क्र० प्र० 3676—भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उप धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और दिनांक 27 अगस्त, 1977 को भारत के राजपत्र के भाग II, खण्ड 3, उप खण्ड (ii) के पृष्ठ 2893 पर प्रकाशित भारत सरकार के राजस्व विभाग के दिनांक 22 अगस्त 1977 के आदेश सं० 19/77 स्टाम्प फा० सं० 33/51/77-बि० क० (क्र० प्र० 2718) को अधिस्तान्त करते हुए, केन्द्रीय सरकार एतद्द्वारा उस शुल्क को माफ करती है जो हाउसिंग और अर्थन डेवलपमेंट कारपोरेशन, नई दिल्ली द्वारा जारी किये जाने वाले 15 करोड़ 12 लाख 50 हजार रुपये के मूल्य डिवेंचरों और उनके परधनी श्रंखला के साध्य रूप दस्तावेजों पर उक्त अधिनियम के अधीन प्रभावी है।

[सं० 35/77-स्टाम्प—फा० सं० 33/51/77-बि० क०]

श्रीम प्रकाश मेहरा, उप सचिव

ORDER

New Delhi, the 7th November, 1977

STAMPS

S.O. 3676.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899) and in supersession of the Order of the Government of India in the Department of Revenue No. 19/77-Stamps/F. No. 33/51/77-ST (S. O. 2718), dated the 22nd August, 1977 published at page 2893 of the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 27th August, 1977, the Central Government hereby remits the duty with which the debentures to the value of fifteen crores, twelve lakhs and fifty thousand of rupees, to be issued by

the Housing and Urban Development Corporation, New Delhi and the documents evidencing subsequent transfer of the same, are chargeable under the said Act.

[No. 35/77-Stamp—F. No. 33/51/77-ST]

O. P. MEHRA, Dy. Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग विभाग)

नई दिल्ली, 4 नवम्बर, 1977

का० आ० 3677.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) योजना 1970 के खण्ड 3 के अनुसूचन में केन्द्रीय सरकार भारतीय रिजर्व बैंक के परामर्श से, एतद्वारा नवम्बर, 1977 के चौथे दिन से प्रारम्भ होकर नवम्बर, 1980 के तीसरे दिन को समाप्त होने वाली 3 वर्ष की अवधि के लिये, उक्त खण्ड 3 के उपखण्ड (ग), (घ), (ङ) और (च) में निर्दिष्ट व्यक्तियों के हितों का प्रतिनिधित्व करने के लिये, भारत सरकार वित्त मंत्रालय (बैंकिंग विभाग) को दिनांक 7 फरवरी, 1974 की अधिसूचना संख्या एफ० 9-4/49/73 बी० आ० I-4 तथा 22 जून, 1974 की अधिसूचना संख्या एफ० 9-4/49/73 जी० आ० I के अधीन नियुक्त निदेशकों के स्थान पर, बैंक आफ बड़ौदा के निदेशकों के रूप में निम्नलिखित व्यक्तियों को नियुक्त करती है :—

1. श्री आर० एम० देसाई एजेंट, सूफी बाग शाखा, बैंक आफ बड़ौदा, सूरत (गुजरात) उक्त बैंक के गैर-कामगार कर्मचारियों का प्रतिनिधित्व करने के लिये खण्ड 3 के उपखण्ड (ग) के अनुसूचन में।
2. श्री ई० बी० रेनबोथ, नं० 2, केन्टनमेंट, जबलपुर-482001 (मध्य प्रदेश) उक्त बैंक के जमाकर्ताओं के हितों का प्रतिनिधित्व करने के लिये खण्ड 3 के उपखण्ड (घ) के अनुसूचन में।
3. श्री० के० लक्ष्मणन्, उपाध्यक्ष, वी.मुडिया-लूर को-ऑपरेटिव एग्रीकल्चरल सर्विसेज लिमिटेड, के० बहामदुरे कोयम्बतूर-641017 (तमिलनाडु) कृषकों के हितों का प्रतिनिधित्व करने के लिए खण्ड 3 के उपखण्ड (ङ) के अनुसूचन में।
4. श्री कृपाल सिंह शेखावत, कलाकार, बी०-18 ए, शिव मार्ग बाणी पार्क, जयपुर-302006 (राजस्थान) कारीगरों के हितों का प्रतिनिधित्व करने के लिये खण्ड 3 के उपखण्ड (ङ) के अनुसूचन में।
5. श्री आनन्द एम० अमीन, बार-एट-लॉ, अध्यक्ष, दुरा केमिकल कॉर्पोरेशन (प्राइवेट) लिमिटेड, दूसरी मंजिल, आनन्द भवन, रिलीफ रोड, अहमदाबाद-380001, (गुजरात) खण्ड 3 के उपखण्ड (च) के अनुसूचन में।
6. श्री सी० सी० चौकसी, चार्टर्ड अकाउन्टेन्ट, मेसर्स सी० सी० चौकसी एण्ड कम्पनी, मफत लाल हाउस, बेकबे रीक्लेमेशन, अम्बई-400020 (महाराष्ट्र) खण्ड 3 के उपखण्ड (च) के अनुसूचन में।
7. श्री चुनी लाल इंदालिया, कुषक, ग्राम—अष्टन, तहसील नीवां, जिला बीकानेर (राजस्थान) खण्ड 3 के उपखण्ड (च) के अनुसूचन में।

8. डा० सी० एम० व्यास, जी एम एफ खण्ड 3 के उपखण्ड (च) के अनुसूची प्रोफेसर आफ मैनेजमेंट इन मरग में।
एग्रीकल्चर, इन्डियन इन्स्टीट्यूट
आफ मैनेजमेंट, वस्त्रपुर, अहमदाबाद-380015, (गुजरात)

[सं० एफ० 9/24/77-बी० आ० I]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 4th November, 1977

S.O. 3677.—In pursuance of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints the following persons as Directors of the Bank of Baroda for a period of three years commencing on the 4th day of November, 1977, and ending with the 3rd day of November, 1980, in the place of the Directors appointed under the notifications of the Government of India in the Ministry of Finance (Department of Banking) No. F. 9-4/49/73-BO. I-4 dated the 7th February, 1974 and No. F. 9-4(49)/73-BOI dated 22nd June, 1974 to represent the interests of the persons specified in sub-clauses (c), (d), (e) and (f) of the said clause 3 :—

1. Shri R.M. Desai, Agent
Sufi Baug Branch,
Bank of Baroda,
Surat (Gujarat). Representing the employees of the said Bank who are not workmen—in pursuance of sub-clause (c) of clause 3.
2. Shri E.B. Reinboth
No. 2 Cantonment,
Jabalpur-482001
(Madhya Pradesh) Representing the interests of depositors of the said Bank in pursuance of sub-clause (d) of clause 3.
3. Shri V.K. Lakshmanan,
Vice-President,
The Thudiyalur Cooperative Agricultural Services Ltd.,
K. Vadamadurai,
Coimbatore-641017
(Tamil Nadu). Representing the interests of farmers—in pursuance of sub-clause (e) of clause 3.
4. Shri Kripal Singh Shekhawat
Artist,
B-18A, Shivamarg Bani
Park,
Jaipur-302006
(Rajasthan). Representing, the interests of artisans—in pursuance of sub-clause (c) of clause 3.
5. Shri Anand N. Amin,
Bar-At-Law.
Chairman,
Dura Chemical Corporation
(P) Ltd.,
2nd Floor, Anand Bhavan,
Relief Road,
Ahmedabad-380001
(Gujarat). In pursuance of sub-clause (f) of clause 3.
6. Shri C.C. Chokshi,
Chartered Accountant,
M/s. C.C. Chokshi & Co.
Chartered Accountants,
Mafatlal House,
Backbay Reclamation,
Bombay-400020
(Maharashtra). In pursuance of sub-clause (f) of clause 3.

7. Shri Chuni Lal Indalia, In pursuance of sub-clause
Agriculturist, (f) of clause 3.
Village Bachhu,
Tehsil Nokha,
Distt. Bikaner
(Rajasthan).
8. Dr. V.S. Vyas, In pursuance of sub-clause
GSFC Professor of (f) of clause 3.
Management in Agriculture,
Indian Institute of Manage-
ment,
Vastrapur
Ahmedabad-380015.

8. श्री जसवंत सिंह, अध्यक्ष नेशनल खण्ड 3 के उपखण्ड (च)
ट्रान्सपोर्ट, कोशापरेंटिव सोसाइटी अनुमरण में।
निमिटेड, 126-ए, मोनीलाल नेहरू
रोड, कलकत्ता-70002 (पश्चिम
बंगाल)
9. श्री एस० आर० शेरवानी, प्रबंध खण्ड 3 के उपखण्ड (ख) के
निदेशक, मेसर्स महालक्ष्मी मिडीकेट, अनुमरण में।
मेसर्स महालक्ष्मी मिडीकेट, प्राइवेट
लिमिटेड, 28 साउथ रोड, इलाहा-
बाद (उत्तर प्रदेश)

[सं० एफ० 9/31/77-बी० प्रो० I]

(No. F. 9/24/77-BO. 1)

क्रा० आ० 3678.—राष्ट्रीय बैंक (प्रबंध और प्रकीर्ण उपबंध) योजना 1970 के खण्ड 3 के अनुमरण में, केन्द्रीय सरकार भारतीय रिजर्व बैंक के परामर्श से, एतद्द्वारा नवम्बर, 1977 के चौथे दिन से प्रारम्भ होकर नवम्बर, 1980 के तीसरे दिन को समाप्त होने वाले 3 वर्ष की अवधि के लिये, उक्त खण्ड 3 के उपखण्ड (ग), (घ), (ङ) और (च) में निविष्ट व्यक्तियों के हितों का प्रतिनिधित्व करने के लिये भारत सरकार विस्तृत मंत्रालय (बैंकिंग विभाग) को दिनांक 7 फरवरी, 1974 की अधिसूचना संख्या एफ० 9-4/49/73-बी० प्रो०—I-11 के अधीन नियुक्त निवेशकों के स्थान पर, इलाहाबाद बैंक के निदेशकों के रूप में निम्नलिखित व्यक्तियों को नियुक्त करती है :—

1. श्री जय गोविन्द राय, क्षेत्रीय प्रबंधक, उक्त बैंक के गैर-कामगार कर्म-
इलाहाबाद बैंक, भोपाल (मध्य प्रदेश) चारियों का प्रतिनिधित्व
करने के लिये खण्ड 3 के
उपखण्ड (ग) के अनुमरण
में।
2. श्री डी० एन० पटोविया, एन-108, उक्त बैंक के जमाकर्ताओं के
पंचशील पार्क, नई दिल्ली-110017 हितों का प्रतिनिधित्व करने
के लिये खण्ड 3 के उपखण्ड
(घ) के अनुमरण में।
3. कर्नल प्रभूलाल नेगी (सेवा निवृत्त) किसानों के हितों का प्रतिनि-
हल्दुवा फार्म, डाकखाना त्रेमपुर, जिला धित्व करने के लिये खण्ड
नैनीताल-244716 (उत्तर प्रदेश) 3 के उपखण्ड (ङ) के
अनुमरण में।
4. श्री रहीम गट्टी, बार्डिक तथा पड्डा कारीगरों के हितों का प्रतिनिधित्व
छपाईकार, 20 गौतम मार्ग, उज्जैन करने के लिए खण्ड 3 के
(मध्य प्रदेश) उपखण्ड (ङ) के अनुमरण
में।
5. श्री ममीर घाण, चार्टर्ड लेखाकार, खण्ड 3 के उपखण्ड (च) के
नवलोक एण्ड लेबीज, चार्टर्ड आउ- अनुमरण में।
टेन्स, न्यू इंडिया इंसुरेंस भवन,
4 लायन्स रेंज, कलकत्ता-700001
(पश्चिम बंगाल)
6. डा० केदार राम गुप्ता, पी० एच० खण्ड 3 के उपखण्ड (च) के
डी० बी० एल०, 'अरुण आशान' अनुमरण में।
एच० एस० सहाय रोड, भागलपुर-
812001 (बिहार)
7. लेफ्टीनेंट जनरल हृदय प्रसाद (सेवा खण्ड 3 के उपखण्ड (ख) के
निवृत्त) फ्लैट नं० 4/बी, 33 पृथ्वी- अनुमरण में।
राज रोड, नई दिल्ली-110011

S.O. 3678.—In pursuance of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints the following persons as Directors of the Allahabad Bank for a period of three years commencing on the 4th day of November, 1977, and ending with the 3rd day of November, 1980, in the place of the Directors appointed under the notification of the Government of India in the Ministry of Finance (Department of Banking) No. F. 9-4/49/73-BO.I-11, dated the 7th February, 1974 to represent the interests of the persons specified in sub-clause (c), (d), (e) and (f) of the said clause 3 :

1. Shri Jai Govind Rai, Representing the employees
Regional Manager, of the said Bank who are not
Allahabad Bank, workmen—in pursuance of
Bhopal sub-clause (c) of clause 3.
(Madhya Pradesh).
2. Shri D.N. Patodia, Representing the interests
N-108, Panchshila Park, of depositors of the said
New Delhi-110017. Bank—in pursuance of
sub-clause (d) of clause 3.
3. Col. Prabhu Lal Negi, Representing the interests
(Retd.) of farmers—in pursuance
Haldia Farm, of sub-clause (e) of clause 3.
P.O. Hampur, District Nainital-244716
(Uttar Pradesh).
4. Shri Rahim Gutti, Representing the interests
Batik and Screen Printer, of artisans—in pursuance
20, Gutam Marg. of sub-clause (e) of clause 3.
Ujjain
(Madhya Pradesh).
5. Shri Samir Ghosh, In pursuance of sub-clause
Chartered Accountant, (f) of clause 3.
Lovellock and Lewes,
Chartered Accountants,
New India Assurance
Building,
4, Lyons Range,
Calcutta-700001
(West Bengal).
6. Dr. Kedar Ram Gupta, In pursuance of sub-clause
Ph.D. B.L. (f) of clause 3.
'Arun Awash'
S.S. Sahaya Road,
Bhagalpur-812001
(Bihar).
7. Lt. Gen. Har Prasad (Retd.) In pursuance of sub-clause
Flat No. 4/B, (f) of clause 3.
33, Prithviraj Road,
New Delhi-110011.

8. Shri Jaswant Singh,
Chairman,
National Transport Coop.
Society Ltd.
126-A, Motilal Nehru Road,
Calcutta-700029.
(West Bengal).

In pursuance of sub-clause
(f) of clause 3.

New Delhi, the 8th November, 1977

9. Shri M.R. Shervani,
Managing Director,
M/s. Mahalakshmi
Syndicate (P) Ltd.,
28, South Road,
Allahabad
(Uttar Pradesh).

In pursuance of sub-clause
(f) of clause 3.

S.O. 3679.—In pursuance of sub-clause (f) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Prof. J. C. Brahma, Head of the Department, Education, Kokrajhar College, Kokrajhar, Distt. Goalpara (Assam) as a Director of the United Bank of India for a period of three years commencing on the 8th day of November, 1977 and ending with the 7th day of November, 1980.

[No. F 9/27/77-BO. I]

BALDEV SINGH, Jt. Secy.

सूचि-पत्र

क्र० आ० 3680:—वित्त मंत्रालय प्राथमिक कार्य विभाग, बैंकिंग प्रभाग की दिनांक 31 अक्तूबर, 1977 की समसंख्यक अधिसूचना में श्री जे० पी० मेहरा का नाम श्री जे० एल० मेहरा पढ़ा जाए।

[सं० एफ० 9/34/77-बी० प्रो० I]

पी० डब्ल्यू० मीरचन्दानी, अवर सचिव

(No. F. 9/31/77-BO. I)

नई दिल्ली, 8 नवम्बर, 1977

क्र० आ० 3679:—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) योजना 1970 के खंड 3 के उपखंड (ज) के अनुसरण में केन्द्रीय सरकार एनडब्ल्यूआर भारतीय रिजर्व बैंक के परामर्श में, जिला गोलपाड़ा (असम) के कोकराझाड़ स्थित कोकराझाड़ कालेज के शिक्षा के विभागाध्यक्ष प्राफेसर जे० सी० ब्रह्मा को नवम्बर, 1977 के 8वें दिन से आरम्भ होने वाली और नवम्बर, 1980 के 7वें दिन समाप्त होने वाली 3 वर्ष की अवधि के लिए यनाइटेड बैंक ऑफ इंडिया का निदेशक नियुक्त करती है।

[सं० एफ० 9/27/77-बी० प्रो० I]

बलदेव सिंह, संयुक्त सचिव

CORRIGENDUM

S.O. 3680.—In Ministry of Finance, Department of Economic Affairs, Banking Division's Notification of even number, dated 31st October, 1977 Shri J. P. Mehra's name shall be read as Shri J. L. Mehra.

[No. F. 9/34/77-BO. I]

C. W. MIRCHANDANI, Under Secy.

भारतीय रिजर्व बैंक

RESERVE BANK OF INDIA

नई दिल्ली, 14 नवम्बर, 1977

New Delhi, the 14th November, 1977

क्र० आ० 3681:—भारतीय रिजर्व बैंक अधिनियम, 1934 के अनुसरण में अक्तूबर, 1977 के दिनांक 14 को समाप्त हुए सप्ताह के लिए लेखा
S.O. 3681.—An Account pursuant to the Reserve Bank of India Act, 1934 for the week ended the 14th day of October, 1977.

इस विभाग

ISSUE DEPARTMENT

देयताएं Liabilities	रुपये Rs.	रुपये Rs.	प्राप्तियां Assets	रुपये Rs.	रुपये Rs.
बैंकिंग विभाग में रखे हुए नोट Notes held in the Banking Department	18,04,12,000		सोने का सिक्का और बुलियन :— Gold Coin and Bullion		
संचलन में नोट Notes in circulation	8075,23,38,000		(क) भारत में रखा हुआ (a) Held in India	187,80,46,000	
जारी किये गये कुल नोट Total notes issued		8093,27,50,000	(ख) भारत के बाहर रखा हुआ (b) Held outside India	..	
			विदेशी प्रतिभूतियां Foreign Securities	1371,73,97,000	
			कुल Total		1559,54,43,000
			रुपये का सिक्का Rupee Coin		23,58,04,000
			भारत सरकार की रुपया प्रतिभूतियां Government of India Rupee Securities		6510,15,03,000
			देशी विनियम बिल और दूसरे वाणिज्य-पत्र Internal Bills of Exchange and other commercial paper		..
कुल देयताएं Total Liabilities		8093,27,50,000	कुल प्राप्ति Total Assets		8093,27,50,000

दिनांक 14-11-77

Dated the 14th Day of November, 1977

गवर्नर

Governor

14 अक्टूबर, 1977 को भारतीय रिज़र्व बैंक के बैंकिंग विभाग के कार्यकलाप का विवरण
Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 14th October, 1977.

बेयताएं Liabilities	रुपये Rs.	घास्तिया Assets	रुपये Rs.
मुकता पूंजी Capital Paid Up	5,00,00,000	नोट Notes	18,04,12,000
आरक्षित निधि Reserve Fund	150,00,00,000	रुपये का सिक्का Rupee Coin	3,12,000
राष्ट्रीय कृषि ऋण (दीर्घकालीन प्रवर्तन) निधि National Agricultural Credit (Long Term Operations) Fund	495,00,00,000	छोटा सिक्का Small Coin	3,78,000
राष्ट्रीय कृषि ऋण (स्थिरकरण) निधि National Agricultural Credit (Stabilisation) Fund	165,00,00,000	खरीदे और भुनाये गये बिल Bills Purchased and Discounted :	
राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन प्रवर्तन) निधि National Industrial Credit (Long Term Operations) Fund	715,00,00,000	(क) देशी (a) Internal	135,69,47,000
अमराशिर्षा :— Deposits :—		(ख) विदेशी (b) External	—
(क) सरकारी (a) Government		(ग) सरकारी खजाना बिल (c) Government Treasury Bills	203,67,00,000
(i) केन्द्रीय सरकार Central Government	105,93,38,000	विदेशों में रखा हुआ धन Balance Held Abroad	1967,64,08,000
(ii) राज्य सरकारें State Governments	7,88,63,000	निवेश Investments	570,09,42,000
(ख) बैंक (b) Banks		ऋण और अधिम :— Loans and Advances to :—	
(i) अनुसूचित वाणिज्य बैंक Scheduled Commercial Banks	1495,85,83,000	(i) केन्द्रीय सरकार को Central Government	—
(ii) अनुसूचित राज्य सहकारी बैंक Scheduled State Co- operative Banks	27,34,74,000	(ii) राज्य सरकारों की State Governments	253,65,31,000
(iii) गैर अनुसूचित राज्य सहकारी बैंक Non-Scheduled State Co- operative Banks	2,22,70,000	ऋण और अधिम :— Loans and Advances to :—	
(iv) अन्य बैंक Other Banks	1,64,51,000	(i) अनुसूचित वाणिज्य बैंकों को Scheduled Commercial Banks	379,80,05,000
		(i) राज्य सहकारी बैंकों को State Co-operative Banks	351,31,89,000
		(ii) दूसरों को Others	1,42,00,000
		राष्ट्रीय कृषि ऋण (दीर्घकालीन प्रवर्तन) निधि से ऋण, अधिम और निवेश Loans, Advances and Investments from National Agricultural Credit (Long Term Operations Fund)	
		(क) ऋण और अधिम :— (a) Loans and Advances to :—	
		(i) राज्य सरकारों को State Governments	98,15,62,000
		(ii) राज्य सहकारी बैंकों को State Co-operative Banks	14,89,17,000
		(iii) केन्द्रीय भूमिबन्धक बैंकों को Central Land Mortgage Banks	—
		(iv) कृषि पुनर्वित्त और विकास निगम को Agricultural Refinance and Development Corporation	171,40,00,000
		(ख) केन्द्रीय भूमिबन्धक बैंकों के द्विचक्रों में निवेश (b) Investment in Central Land Mortgage Bank Debentures	7,99,44,000

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देयताएं Liabilities	रुपये Rs.	प्रास्तियां Assets	रुपये Rs.
(ग) अन्य (c) Other देय बिल Bills payable अन्य देयताएं Other Liabilities	1890,65,30,000 160,76,61,000 601,42,62,000	राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और प्रग्रिम Loans and Advances from National Agricultural Credit (Stabilisation) Fund राज्य सहकारी बैंकों को ऋण और प्रग्रिम Loans and Advances to State Co-operative Banks राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन प्रवर्तन) निधि से ऋण, प्रग्रिम और निवेश Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund (क) विकास बैंक को ऋण और प्रग्रिम (a) Loans and Advances to the Development Bank (ख) विकास बैंक द्वारा जारी किये गये बांडो/डिबेंचरों में निवेश (b) Investment in bonds/debentures issued by the Development Bank अन्य प्रास्तियां Other Assets	 130,67,64,000 537,39,29,000 981,82,92,000
रुपये Rupees	5823,74,32,000	रुपये Rupees	5823,74,32,000

दिनांक 19 अक्टूबर, 1977

गवर्नर

Dated the 19th day of October, 1977

[No. F.10/2/77-B.O.I]

का०आ० 3682.— भारतीय रिजर्व बैंक अधिनियम, 1934 के अनुसरण में अक्टूबर 1977 के दिनांक 21 को समाप्त हुए सप्ताह के लिए लेखा।

S. O. 3682.—An Account pursuant to the Reserve Bank of India Act, 1934 for the week ended the 21st day of October, 1977.

इशू विभाग

ISSUE DEPARTMENT

देयताएं Liabilities	रुपये Rs.	रुपये Rs.	प्रास्तियां Assets	रुपये Rs.	रुपये Rs.
बैंकिंग विभाग में रखे हुए नोट Notes held in the Banking Department	10,60,15,000		सोने का सिक्का और बुलियन :— Gold Coin and Bullion		
संचालन में नोट Notes in circulation	8073,01,85,000		(क) भारत में रखा हुआ (a) Held in India	187,80,46,000	
जारी किये गये कुल नोट Total notes issued	8083,62,00,000		(ख) भारत के बाहर रखा हुआ (b) Held outside India	—	
			विदेशी प्रतिभूतियां Foreign Securities	1571,73,97,000	
			जोड़ Total		1759,54,43,000
			रुपये का सिक्का Rupee Coin		23,91,65,000
			भारत सरकार की रुपया प्रतिभूतियां Government of India Rupee Securities		
			देशी विनिमय बिल और दूसरे वाणिज्य-पत्र Internal Bills of Exchange and other commercial paper		—
कुल देयताएं Total Liabilities	8083,62,00,000		कुल प्रास्तियां Total Assets		8083,62,00,000

दिनांक 14-11-77

Dated the 14th day of Nov., 1977

112GI/77—2

21 अक्टूबर, 1977 को भारतीय रिज़र्व बैंक के बैंकिंग विभाग के कार्यकलाप का विवरण
Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 21st October, 1977

वेयताएं Liabilities	रुपये Rs.	आम्निता ASSETS	रुपये Rs.
चुक्ता पूंजी Capital Paid Up	5,00,00,000	नोट Notes	10,60,15,000
आरक्षित निधि Reserve Fund	150,00,00,000	रुपये का सिक्का Rupee Coin	4,95,000
राष्ट्रीय कृषि ऋण (दीर्घकालीन प्रयत्न) निधि National Agricultural Credit (Long Term Operations) Fund	495,00,00,000	छोटा सिक्का Small Coin	3,84,000
राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि National Agricultural Credit (Stabilisation) Fund	165,00,00,000	खरीदे और भुनाये गये बिल :— Bills Purchased and Discounted :—	
राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन प्रयत्न) निधि National Industrial Credit (Long Term Operations) Fund	715,00,00,000	(क) देशी (a) Internal	133,25,50,000
जमा राशियाँ :— Deposits :—		(ख) विदेशी (b) External	—
(क) सरकारी (a) Government		(ग) सरकारी खजाना बिल (c) Government Treasury Bills	272,24,95,000
(i) केन्द्रीय सरकार Central Government	59,57,56,000	विदेशों में रखा हुआ बकाया Balances Held Abroad	1780,36,53,000
(ii) राज्य सरकारें State Governments	7,58,88,000	निवेश Investments	624,72,41,000
(ख) बैंक (b) Banks		ऋण और अग्रिम :— Loans and Advances to :—	
(i) अनुसूचित वाणिज्य बैंक Scheduled Commercial Banks	1542,58,78,000	(i) केन्द्रीय सरकार को (i) Central Government	—
(ii) अनुसूचित राज्य सहकारी बैंक Scheduled State Co-operative Banks	26,35,58,000	(ii) राज्य सरकारों को (ii) State Governments	367,22,93,000
(iii) गैर अनुसूचित राज्य सहकारी बैंक Non-Scheduled State Co-operative Banks	2,28,50,000	ऋण और अग्रिम :— Loans and Advances to :—	
(iv) अन्य बैंक Other Banks	1,45,96,000	(i) अनुसूचित वाणिज्य बैंकों को (i) Scheduled Commercial Banks	379,14,91,000
(ग) अन्य (c) Others	1887,67,08,000	(ii) राज्य सहकारी बैंकों को (ii) State Co-operative Banks	357,80,62,000
		(iii) दूसरों को (iii) Others	1,65,00,000
		राष्ट्रीय कृषि ऋण (दीर्घकालीन प्रयत्न) निधि से ऋण, अग्रिम और निवेश Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
		(क) ऋण और अग्रिम :— (a) Loans and Advances to :—	
		(i) राज्य सरकारों को (i) State Governments	98,15,61,000
		(ii) राज्य सहकारी बैंकों को (ii) State Co-operative Banks	14,89,44,000
		(iii) केन्द्रीय भूमिबन्धक बैंकों को (iii) Central Land Mortgage Banks	—
		(iv) कृषि पुनर्वित्त और विकास निगम को (iv) Agricultural Refinance and Development Corporation	171,40,00,000
		(ख) केन्द्रीय भूमिबन्धक बैंकों के डिबेंचरों में निवेश (b) Investment in Central Land Mortgage Bank Debentures	7,99,44,000

देयताएं Liabilities	रुपये Rs.	आस्तियां Assets	रुपये Rs.
देय बिल Bills Payable	160,60,95,000	राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और अग्रिम Loans and Advances from National Agricultural Credit (Stabilisation) Fund	
अन्य देयताएं Other Liabilities	618,37,24,000	राज्य सहकारी बैंकों को ऋण और अग्रिम Loans and Advances to State Co-operative Banks	130,45,17,000
		राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन प्रवर्तन) निधि से ऋण, अग्रिम और निवेश Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	
		(क) विकास बैंक को ऋण और अग्रिम (a) Loans and Advances to the Development Bank	546,01,39,000
		(ख) विकास बैंक द्वारा जारी किये गये बांडों/डिबेंचरों से निवेश (b) Investment in bonds/debentures issued by the Development Bank	—
		अन्य आस्तियां Other Assets	940,74,69,000
रुपये Rupees	5836,77,53,000	रुपये Rupees	5836,77,53,000

दिनांक :

Dated the 14th day of Nov. 1977.

गवर्नर
Governor

[No. F. 10/2/77-BOI]

च० व० मीरचन्दानी, अध्वर सचिव
C. W. MIRCHANDANI, Under Secy.

आयकर आयुक्त कार्यालय, विदर्भ एवं मराठवाड़ा, नागपुर

नागपुर, 27 सितम्बर, 1977

का०मा० 3683.—शुक्ति केन्द्रीय सरकार की राय से यह आवश्यक और उचित है कि 1976-77 वित्तीय वर्ष की अवधि में कर के अकादादर निर्धारितियों, जिनके मामलों में एक लाख से अधिक रुपये का बढ़े खाने में छाला गया है, के नाम और पतों को लोकहित में प्रकाशित किया जाए।

और चूंकि आयकर अधिनियम की धारा 287 (1961 का 43) द्वारा प्रदत्त शक्तियों तथा ऐसी सभी शक्तियों द्वारा, जिनसे इनके नियम उनको समर्थन किया गया हो, प्रदत्त शक्तियों के प्रयोग से केन्द्रीय सरकार अपने ता० 26 दिसम्बर, 1970 के आदेश का०सं० 83/108/69 आई (टी) बी द्वारा आयकर आयुक्त को प्राधिकृत करती है और निवेश देती है कि ऐसे चूककर्ताओं के नाम और पतों को प्रकाशित करें।

अतः मैं आयकर आयुक्त, विदर्भ एवं मराठवाड़ा, नागपुर अब एतद्द्वारा विदर्भ और मराठवाड़ा के 31-3-1977 तक की अवधि के वित्तीय वर्ष 1976-77 के कर अकादादरों के नाम और पतों को प्रकाशित करता हूँ।

क्रमांक	निर्धारितता का नाम और पता	हैमियन	निर्धारण वर्ष	बढ़े खाने वाली गई रकम	बढ़े खाने में छालने का संक्षिप्त कारण
(1)	(2)	(3)	(4)	(5)	(6)
				आ०के०	
1.	श्री फरुद्दीन मो० अली प्रो० जनरल इजिनियरिंग मिल स्टोअर्स, तान नल चौक, नागपुर।	व्यट्टी	67-68 68-69 69-70 70-71 71-72 (1)	15,729 9,827 43,908 1,36,462 95,936 -3,01,862	निर्धारितता ने व्यापार बन्द कर दिया है। इनकी कोई परिसंपत्ति नहीं है। दिवाला याचिका पेश की गई है, और वह विचाराधीन है। रकम थमूल नहीं होने वाली है, ऐसा निर्णय किया गया।

(1)	(2)	(3)	(4)	(5)	(6)
				धन-कर	
			64-65	1,049	
			65-66	398	
			66-67	312	
			67-68	1,238	
			68-69	5,766	
			69-70	5,670	
			70-71	2,033	
			71-72	1,672	
			(2)	18,138	
			कुल	3,20,000	
2. मैसर्स गुट्टुभाट साक्षर, जयपुरिया मिशन, तुमसर	पंजीकृत फर्म	55-56	5,03,229	निर्धारित के पास चल या धन	
		56-57	4,36,119	सम्पत्तियां नहीं है। पिछले 15	
		57-58	2,98,776	वर्षों में निर्धारित का व्यापार	
		58-59	1,41,268	बन्द है। इस रकम को बढ़े खाने	
				में डाल दिया गया है।	
		कुल	13,79,392		
3. मैसर्स जयपुरिया ब्रदर्स, तुमसर	पंजीकृत फर्म	55-56	6,87,483	निर्धारित के पास चल या धन	
		57-58	4,21,131	सम्पत्तियां नहीं है। पिछले 15	
		58-59	22,598	वर्षों में निर्धारित का व्यापार	
		60-61	2,93,161	बन्द है। इस रकम को बढ़े खाने में	
				डाल दिया गया है।	
		कुल	14,24,379		
4. मैसर्स लोया ब्रदर्स, कामठी	अपंजीकृत फर्म	70-71	1,35,888	वसूल न होने वाली है।	
		71-72	2,20,348		
		72-73	1,53,132		
		73-74	2,900		
		कुल	5,12,268		
5. मैसर्स निजामाबाद बिडी, मैयू० क० कामठी	कम्पनी	66-67	45,065	वसूल न होने वाली है।	
		67-68	3,46,290		
		68-69	12,158		
		कुल	4,03,513		
6. मैसर्स नागपुर विशाल ग्राहक सहकारी संस्था लिमिटेड, नागपुर	सहकारी समिति	67-68	1,25,000	समिति का निस्तारण (निष्कीडेशन)	
		कुल	1,25,000	हो गया है। सरकार द्वारा निस्तारण	
				नियुक्त किया गया है।	

1	2	3	4	5	6
7.	मैसर्स रामकृष्ण रामनाथ मम्म, कामठी	अर्जन्टिना फर्म	61-62 62-63 64-65 66-67 67-68 68-69 69-70	1,13,071 227 66,603 1,743 2,202 1,01,189 3,53,222	बसूल न होने वाली है।
			कुल	6,38,257	
8.	श्री रामकान्त शोइया, कामठी	हिन्दू अभिषक्त परिवार	58-59 59-60 60-61 61-62 62-63 63-64 64-65 65-66 66-67 67-68 68-69 69-70 70-71	11,500 11,372 1,03,310 67,197 1,21,696 1,49,267 1,78,033 3,455 9,550 7,549 10,490 84,280 37,749	बसूल न होने वाली है।
				7,94,448	
9.	मैसर्स रामकृष्ण रामनाथ (बिडी) प्राइवेट लिमिटेड, नागपुर	कम्पनी	65-66 66-67 67-68	6,40,000 5,12,292 61,220	बसूल न होने वाली है।
			कुल	7,13,512	
10.	श्री उमाशंकर शोइया, कामठी	हिन्दू अभिषक्त परिवार	64-65 65-66 66-67 67-68 69-70 70-71	1,02,821 3,495 4,815 1,024 59,778 12,701	बसूल न होने वाली है।
			कुल	1,84,634	

[फा० स० रिकवरी (64)/77-78]

पी० सङ्गोपन, आयकर आयुक्त

Office of the Commissioner of Income Tax

Vidarbha & Marathwada, Nagpur

Nagpur, the 27th September, 1977

S.O. 3683.—Whereas the Central Government is of the opinion that it is necessary and expedient in public interest to publish the names and addresses hereinafter specified relating to tax defaulters in whose cases amounts over rupees one lakh were written off during the financial year 1976-77.

And Whereas in exercise of the powers conferred by Section 287 of the Income tax Act, (43 of 1961) and all other powers enabling it in this behalf, the Central Government by its order F.N. 83/108/69-IT(B) dated 26th December, 1970, authorised and directed Commissioner of Income-tax to publish the names and address of such tax defaulters.

Now therefore I, Commissioner of Income-tax, Vidarbha & Marathwada, Nagpur hereby publish the names and addresses of the tax defaulters in Vidarbha & Marathwada as on 31-3-1977 relating to the financial year 1976-77.

Sr. No.	Name and addresses of the assessee	Status	Asslt. years	Amount written off	Brief reasons for written off
1	2	3	4	5	6
1.	Shri Fakruddin Mohd. Ali, Prop. General Engineering Mill Stores, Tin Nal Chowk, Nagpur.	Indl.	1967-68 68-69 69-70 70-71 71-72	15,729/- 9,827/- 43,908/- 1,36,462/- 95,936/-	The assessee had closed his business. He has no assets. Insolvency petition filed and pending. Considered irrecoverable.
				(i)3,01,862/-	
			W.T.		
			1964-65 65-66 66-67 67-68 68-69 69-70 70-71 71-72	1,049/- 398/- 312/- 1,238/- 5,766/- 5,670/- 2,033/- 1,672/-	
				(ii)18,138/-	
			Total	3,20,000/-	
2.	M/s. Gudrughat Mines, Jaipuria Man- sion, Tumsar.	R.F.	1955-56 56-57 57-58 58-59	5,03,229/- 4,36,119/- 2,98,776/- 1,41,268/-	Assessee has no movable or immovable assets. Assessee's business closed down since last 15 years. This amount has been written off.
			Total	13,79,392/-	
3.	M/s. Jaipuria Bros., Tumsar.	R.F.	1955-56 57-58 58-59 60-61	6,87,483/- 4,21,131/- 22,598/- 2,93,161/-	Assessee has no movable or immovable assets. Assessee's business closed down since last 15 years. This amount has been written off.
			Total	14,24,379/-	
4.	M/s. Loiya Bros., Kamptee	U.R.F.	1970-71 71-72 72-73 73-74	1,35,888/- 2,20,348/- 1,53,132/- 2,900/-	Irrecoverable.
			Total	5,12,268/-	
5.	M/s. Nizamabad Bidi Mfg. Co., Kamptee	Company	1966-67 67-68 68-69	45,065/- 3,46,290/- 12,158/-	Irrecoverable.
			Total	4,03,513/-	
6.	M/s. Nagpur Vishal Grahak Sahakari Sanstha Ltd., Nagpur.	Co-op. Society	1967-68	1,25,000/-	Society gone in liquidation. Liquidator appointed by Government.
			Total	1,25,000/-	

7. M/s. Ramkrishna Ramnath Sons, Kamptee.	U.R.F.	1961-62	1,13,071/-	Irrecoverable.
		62-63	227/-	
		64-65	66,603/-	
		66-67	1,743/-	
		67-68	2,202/-	
		68-69	1,01,189/-	
		69-70	3,53,222/-	
		Total	6,38,257/-	
8. Shri Ramakant Loiya, Kamptee	H.U.F.	1958-59	11,500/-	Irrecoverable.
		59-60	11,372/-	
		60-61	1,02,310/-	
		61-62	67,197/-	
		62-63	1,21,696/-	
		63-64	1,49,267/-	
		64-65	1,78,033/-	
		65-66	3,455/-	
		66-67	9,550/-	
		67-68	7,549/-	
		68-69	10,490/-	
		69-70	84,280/-	
		70-71	37,749/-	
		Total	7,94,448/-	
9. M/s. Ramkrishna Ramnath (Bidi) Pvt. Ltd., Nagpur.	Company	1965-66	1,40,000/-	Irrecoverable.
		66-67	5,12,292/-	
		67-68	61,220/-	
		Total	7,13,512/-	
10. Shri Umashankar Loiya, Kamptee	H.U.F.	1964-65	1,02,821/-	Irrecoverable.
		65-66	3,495/-	
		66-67	4,815/-	
		67-68	1,024/-	
		69,70	59,778/-	
		70-71	12,701/-	
		Total	1,84,634/-	

[F. No. Recy. (64/77-78)]

P. SADAGOPAN, Commissioner of Income-tax

आयकर आयुक्त कार्यालय पटियाला

पटियाला, 8 नवम्बर, 1977

(आयकर)

का० अ० 3684.—आयकर अधिनियम, 1961 की धारा 287 के अधीन प्रकाशनार्थ ऐसी सभी फर्मों, कम्पनियों तथा व्यक्ति संगम (ए. प्रो. पी.) की सूची, जिनकी आय वित्तीय वर्ष 1976-77 के दौरान 10 लाख रुपये से अधिक निर्धारित की गई है। (i) हैमियन के लिए है, (ii) निर्धारण वर्ष के लिए (iii) दी गई आय विवरणों के लिए/निर्धारित आय के लिए (iv) करदाता द्वारा दिये जाने वाले कर के लिए/करदाता द्वारा दिये गए कर के लिए है।

- (1) मैमजं पंजाब बीवरीज लिमिटेड, पटियाला (i) कम्पनी (ii) 1976-77 (iii) 2166227/2474280 (iv) 1558796/1558796

- (2) मैमजं प्योर ड्रिक्स (ब्रम्बई) प्रा० लि०, पटियाला (i) कम्पनी (ii) 1976-77 (iii) 2384823/2541000 (iv) 158-1510/1581510

[फा० सं० रेक/प्रकाशन/I]

बी० पी० गुप्ता, आयकर आयुक्त

Office of the Commissioner of Income-tax, Patiala

Patiala, the 8th November, 1977

INCOME-TAX

S.O. 3684.—List of all firms, companies and AOPs assessed on an income over Rs. 10 lakhs during the financial year 1976-77 to be published under Section 287 of the Income-tax Act, 1961. (i) is for status, (ii) for assessment year (iii) for income returned/income assessed (iv) for tax payable by the assessee/tax paid by the assessee.

- (1) M/s. Punjab Beverages Limited, Patiala (i) Company (ii) 1976-77 (iii) 2166227/2474280 (iv) 1558796/1558796.

(2) M/s. Pure Drinks (Bombay) Pvt. Ltd., Patiala. (i) Company (ii) 1976-77 (iii) 2384823/2541000 (iv) 1581510/1581510.

[F. No. REC/Publication/J]

V. P. GUPTA, Commissioner of Income Tax

सीमा शुल्क एवं केन्द्रीय उत्पाद शुल्क समाहर्तार, अहमदाबाद

अहमदाबाद, 4 अक्टूबर, 1977

सीमा शुल्क

का०आ० 3685—सीमा शुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 के साथ पठित, भारत सरकार, वित्त मंत्रालय (राजस्व और बीमा विभाग) नई दिल्ली की अधिसूचना संख्या 79 सीमा शुल्क का०सं० 473/2/75-सीमा शुल्क 11 दिनांक 18 जुलाई, 1975, द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, मैं, के० श्रीनिवासन, समाहर्ता, केन्द्रीय उत्पाद शुल्क तथा सीमा शुल्क, अहमदाबाद, गुजरात राज्य, अहमदाबाद जिला तथा शहर तालुका 'रानिप' गांव की एतद्वारा भाण्डागार स्थान (वेर हाउसिंग स्टेशन) होने की घोषणा करता हूँ।

[सं० 4/77-सीमा शुल्क का०सं० VIII/40-19/सी०/76]

के० श्रीनिवासन, समाहर्ता

Customs & Central Excise Collectorate, Ahmedabad

Ahmedabad, the 4th October, 1977

CUSTOMS

S.O. 3685.—In exercise of the powers conferred on me under section 9 of the Customs Act, 1962 (52 of 1962) read with the Notification No. 79-Cus., F. No. 473/2/75-Cus.VII dated 18-7-75 issued by the Government of India, Ministry of Finance (Department of Revenue & Insurance), New Delhi, I, K. Srinivasan, Collector of Customs & Central Excise, Ahmedabad, hereby declare 'RANIP' village in city Taluka, District Ahmedabad, in the State of Gujarat to be a warehousing station.

[No. 4/77-Cus., F. No. VIII/40-19/Cus./76]

K. SRINIVASAN, Collector

कार्यालय समाहर्ता, केन्द्रीय उत्पाद एवं सीमा शुल्क, जयपुर

जयपुर, 7 नवम्बर, 1977

सीमा-शुल्क

का०आ० 3686—मैं, सनत कुमार घोषाल, समाहर्ता, केन्द्रीय उत्पादन एवं सीमा शुल्क, जयपुर (राजस्थान), भारत सरकार, वित्त मंत्रालय (राजस्व विभाग), नई दिल्ली के दिनांक 18-7-1975 की अधिसूचना सं० 79-सीमा शुल्क एफ० सं० 473/2/75-सीमा शुल्क-VII के साथ पठित सीमा शुल्क अधिनियम 1962 (1962 का 52) की धारा 9 में प्रवृत्त शक्तियों का प्रयोग करते हुए एतद्वारा राजस्थान राज्य के गुलाबपुरा (जिला भीलवाड़ा) की कथित अधिनियम के अन्तर्गत भांडागारण केन्द्र घोषित करता हूँ।

[सं० 2/77/सी०सं० VIII (डी सी) 48/6/74]

सनत कुमार घोषाल, समाहर्ता

Office of the Collector, Central Excise, Jaipur

Jaipur, the 7th November, 1977

CUSTOMS

S.O. 3686.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962) read with Ministry

of Finance Notification No. 79-Customs F. No. 473/2/75-Cus. VII dated the 18th July, 1975 issued under clause (a) of section 152 of the Customs Act, 1962 (52 of 1962) I hereby declare Gulabpura (Distt. Bhilwara) in the State of Rajasthan to be a 'Warehousing Station'.

[No. 2-Cus./77/C. No. VIII(DC) 48/6/74]

S. K. GHOSHAL, Collector

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 25 अगस्त, 1977

आयकर

का०आ० 3687.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों के प्रयोग करते हुए और इस संबंध में सभी पूर्वगत अधिसूचनाओं को अंशतः उपांतरित करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड निदेश देता है कि नीचे की अनुसूची के स्तम्भ में विनिर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील) उनके स्तम्भ में की तत्संबंधी प्रविष्टि में विनिर्दिष्ट आयकर सफियों, वार्डों और जिलों में आयकर या अधिकतर से निर्धारित सभी व्यक्तियों और आयों के बारे में अपने कृत्यों का पालन करेंगे :

अनुसूची

क्र०सं०	आय-कर सफिल	आय-कर सफिल, वार्ड और जिले
1. रेंज i, आगरा	(i) आगरा सफिल (ii) आय-कर कार्यालय ग-वार्ड सफिल आगरा (iii) आय-कर कार्यालय सफिल आगरा के वार्ड 1, ख, ग और घ (iv) मैनपुरी सफिल (v) हटावा सफिल (vi) संपदा शुल्क सफिल, आगरा	
2. रेंज ii, आगरा	(i) आयकर कार्यालय सफिल आगरा के वार्ड ड, ए और छ (ii) आय कर कार्यालय सफिल आगरा के वार्ड इ, फ और छ (iii) फिरोजाबाद, सफिल (iv) एटा सफिल (v) फतेहगढ़ सफिल (vi) मथुरा सफिल	
3. रेंज iii, आगरा	(i) आय कर कार्यालय, सफिल आगरा के वार्ड क, ख और घ (ii) बांदा सफिल (iii) अलीगढ़ सफिल (iv) झांसी सफिल (v) झांझर सफिल (vi) सफिल iii आगरा	

जहां कोई आयकर सफिल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तरित हो जाता है, वहां उस आय-कर सफिल वार्ड या जिले या उसके भाग में किए गए निर्धारणों से उत्पन्न होने वाली और उस रेंज के, जिसमें वह आय-कर सफिल, वार्ड या जिला या उसका भाग अन्तरित हुआ है, सहायक आय-कर आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख से ठीक पूर्व अर्थात् अपीलें उस तारीख से जिस तारीख को यह अधिसूचना प्रभावी

होता है, उस रेंज के, जिसको उस सकल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है-सहायक आयकर आयुक्त (अपील) को अन्तर्गत की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 25-8-77 से प्रभावी होगी।

[सं० 1941—फा०सं० 261/23/77-आई टी जे]

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 25th August, 1977

INCOME TAX

S.O. 3687.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and all other powers enabling in that behalf and in partial modification of all previous notification in this regard the Central Board of Direct Taxes, hereby directs that the Appellate Asstt. Commissioner of Income-tax of the Ranges specified in column (2) of the Schedule below shall perform their functions in respect of all persons and income assessed to Income-tax or Super-tax in the Income-tax Circles, Ward and Districts specified in the corresponding entry in column (3) thereof :—

Sl. Schedule Range Income-tax Circles, Wards & Districts No.

1. Range I, Agra.	(i) Agra Circle. (ii) Income-tax Office, C-Ward, Circle, Agra. (iii) Income-tax Office, A, B, C & D Wards of Circle II, Agra. (iv) Mainpuri, Circle. (v) Etawah Circle. (vi) Estate Duty Circle, Agra.
2. Range II, Agra	(i) Income-tax Office, E, F, & G Wards of Circle II, Agra. (ii) Income-tax Office, E, F & G Wards of Circle I, Agra. (iii) Firozabad Circle. (iv) Etah Circle. (v) Fatehgarh Circle. (vi) Mathura Circle.
3. Range III, Agra	(i) Income-tax Office, A, B & D Wards of Circle I, Agra. (ii) Banda Circle. (iii) Aligarh Circle. (iv) Jhansi Circle. (v) Hathras Circle. (vi) Circle III Agra.

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from one range to another appeals arising out of asstts. made in that Income-tax Circle, Ward or Districts or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of Income-tax, the range from whom that Income-tax officer Circle, Ward or Districts or part thereof is transferred to and dealt with by the Appellate Asstt. Commissioner of Income-tax of the Range to whom the said Circle, Ward or district or part thereof is transferred.

This notification shall take effect from 25-8-77.

[No. 1941—F. No. 261/23/77-ITJ]

फा०सं० 3688 आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, और इस संबंध में सभी पूर्वगत अधिसूचनाओं को अंगतः उपांतरित करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड निदेश देता है कि नीचे की अनुसूची के स्तम्भ 2 में विनिर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील) उनके स्तम्भ 3 में तत्संबंधी प्रविष्टि में विनिर्दिष्ट आयकर सर्किलों, वार्डों और जिलों में आयकर या अधिकर से निर्धारित सभी व्यक्तियों और आयों के बारे में अपने कृत्यों का पालन करेंगे :—

अनुसूची

क्रम	रेंज	आयकर सर्किल, वार्ड और जिले
1.	सहायक आयकर आयुक्त (अपील) न-रेंज, नई दिल्ली।	(i) जिला 1 (2), (2) (अति- रिक्त) (3) और (4) नई दिल्ली। (ii) जिला-II (8), (8) (अति- रिक्त) (9), (9) अतिरिक्त (10), (11) और (11) (अतिरिक्त) नई दिल्ली। (iii) जिला-IX (1) नई दिल्ली।

जहां कोई आयकर सर्किल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज को अन्तर्गत हो जाता है, वहां उस आयकर सर्किल, वार्ड या जिले या उसके भाग में किए गए यत्नशीलों से उत्पन्न होने वाली और उस रेंज के, जिसमें वह आयकर सर्किल वार्ड या जिला या उसका भाग अन्तर्गत हुआ है, सहायक आयकर आयुक्त (अपील) के समक्ष हुए अधिसूचना की तारीख के ठीक पूर्व लंबित अपीलें उन तारीख से जिस तारीख को यह अधिसूचना प्रभावी होगी है, उस रेंज के, जिसको उस सर्किल, वार्ड या जिला या उसका भाग अन्तर्गत हुआ है सहायक आयकर आयुक्त (अपील) को अन्तर्गत की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 25-8-77 से प्रभावी होगी।

[सं० 1942—फा०सं० 261/2/77-आई टी जे]

एम० रामास्वामी, अवर सचिव

S.O. 3688.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf and in partial modification of all previous notification in this regard the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Income-tax of the Ranges specified in Column 2 of the Schedule below shall perform their functions in respect of the persons and incomes assessed to Income-tax or Super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in Column 3 thereof :—

SCHEDULE

Sl. No.	Ranges	Income-tax Circles/Wards & Districts
1.	AAC P-Range, New Delhi.	(i) District-I (2), (2) (Addl.), (3) & (4), New Delhi. (ii) Distt-II (8), (8) (Addl.) (9), (9) Addl. (10) (11) and (11) (Addl.) New Delhi. (iii) Distt-IX (1), New Delhi.

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this Notification from one Range to another Range, appeals arising out of the asstts. made in that Income-tax Circle, Wards or District or part thereof and pending immediate before the date of the notification before the Appellate Asstt. Commissioner of Income-tax of the ranges from whom that Income-tax Circles, Wards or Distts. or part thereof is transferred shall from the date this notification takes effect be transferred to and deal with by the Appellate Assistant Commissioner of the range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 25-8-77.

[No. 1942—F. No. 261/2/77-ITJ]

S. RAMASWAMI, Under Secy.

नई दिल्ली, 1 सितम्बर, 1977

आय-कर

कां० प्रा० 3689—आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए और इस संबंध में अपनी अधिसूचना सं० 1687 (फा० सं० 261/13/77-आई टी जे) तारीख 25 मार्च, 1977 को प्रशस्त: उपांतरित करने हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड निदेश देता है कि नीचे की अनुसूची के स्तम्भ 2 में विनिर्दिष्ट रेंजों के सहायक आयकर आयुक्त (अपील) उसके स्तम्भ 3 में की तत्संबंधी प्रविष्टि में विनिर्दिष्ट आयकर सफिलों, वार्डों और जिलों में आयकर या अधिकर से निर्धारित सभी व्यक्तियों और आयों के बारे में अपने कृत्यों का पालन करेंगे :—

अनुसूची

स० सहायक आय-कर आयुक्त आय-कर सफिल वार्ड और जिले (अपील) के रेंज

(1)	(2)	(3)
1. सहायक आयकर आयुक्त क-रेंज हैदराबाद	1. सफिल III हैदराबाद 2. मांभारेडू 3. आरंगल	
2. सहायक आयकर आयुक्त ख-रेंज हैदराबाद	1. सफिल I, हैदराबाद 2. छम्माय	
3. सहायक आयकर आयुक्त ग-रेंज हैदराबाद	1. क, ख, ग, घ, ङ और ग सफिल 2 का वार्ड, हैदराबाद 2. निजामाबाद 3. निर्मल	
4. सहायक आयकर आयुक्त घ-रेंज हैदराबाद	1. सफिल II, हैदराबाद का ज से ङ वार्ड 2. कुर्नुल 3. मन्डयाल 4. सहबूबनगर 5. कारिमनगर	
5. सहायक आयकर आयुक्त विशेष रेंज, हैदराबाद	1. विशेष सफिल I, हैदराबाद 2. विशेष सफिल II, हैदराबाद 3. विशेष सफिल, हैदराबाद 4. बेतन सफिल, हैदराबाद 5. अहोनी सफिल	

(1)	(2)	(3)
6. नियंत्रक अपील संपदा शुल्क सहायक आय-कर आयुक्त (अपील) म० भु० रेंज, हैदराबाद	1. कम्पनी सफिल, हैदराबाद 2. मिक्नराबाद सफिल, हैदराबाद का कम्पनी वार्ड 3. कम्पनी सफिल (पुराना), हैदराबाद 4. केन्द्रीय सफिल, हैदराबाद 5. केन्द्रीय सफिल (पुराना), हैदराबाद 6. एम० पी० पी० सफिल, हैदराबाद 7. परियोजना सफिल, हैदराबाद 8. विशेष सफिल III, हैदराबाद	
7. सहायक आयकर आयुक्त (अपील) विशाखापट्टनम रेंज, विशाखापट्टनम।	1. विशाखापट्टनम 2. अनाकापले 3. विजयानगरम 4. श्रीकाकुलम 5. राजहाम्बरी 6. प्रामलापुरम	
8. सहायक आयकर आयुक्त (अपील) काकीनाडा रेंज काकीनाडा	1. सफिल I काकीनाडा 2. सफिल II काकीनाडा 3. पालाकोल	
9. सहायक आयकर आयुक्त (अपील) विजयवाड़ा रेंज, विजयवाड़ा	1. विजयवाड़ा 2. मछलीपट्टनम 3. गुडीवाड़ा 4. हसूर	
10. सहायक आयकर आयुक्त (अपील) अनन्तपुर रेंज, अनन्तपुर।	1. अनन्तपुर 2. हिन्तूर 3. कुडापाह 4. प्रोदामूर 5. चिन्नूर 6. निकपति	
11. सहायक आयकर आयुक्त (अपील) गुन्तूर रेंज, गुन्तूर	1. गुन्तूर 2. टानकू 3. टेनाली 4. बापल्ल 5. नेलोर 6. माइका सफिल (पुराना नेलोर)	

[सं० 1952 (फा० सं० 261/13/76-आई टी जे)]

एम० के० भटनागर, अवसर सचिव

New Delhi, the 1st September, 1977

INCOME TAX

S.O. 3689:—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961, and all the other powers enabling it in that behalf and in partial modification of notification No. 1687 (F. No. 261/13/77-ITJ), dated 25th March, 1977, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Income-tax mentioned in column 2 of the Schedule annexed hereto shall perform their functions in respect of all persons and income assessed to Income-tax and Super-tax or Wealth-tax or Gift-tax or Expenditure-tax in the Income-tax Circles, Wards and Districts specified in column No. 3 thereof.

SCHEDULE

Sl. No.	Appellate Assistant Commissioner's Range	Income-tax Circle, Ward and District
1	2	3
1.	Appellate Assistant Commissioner of Income-tax, A-Range, Hyderabad.	1. Circle III, Hyderabad. 2. Sangareddy. 3. Warangal.
2.	Appellate Assistant Commissioner of Income-tax, B-Range, Hyderabad.	1. Circle-I, Hyderabad. 2. Khammam.
3.	Appellate Assistant Commissioner of Income-tax, C-Range, Hyderabad.	1. A, B, C, E, E. F & G Wards of Circle II, Hyderabad. 2. Nizamabad. 3. Nirmal.
4.	Appellate Assistant Commissioner of Income-tax, D-Range, Hyderabad.	1. H to M Ward of Circle II, Hyderabad. 2. Kurnool. 3. Nandyal. 4. Mahaboobnagar. 5. Karimnagar.
5.	Appellate Assistant Commissioner of Income-tax, Spl. Range Hyderabad.	1. Special Circle I, Hyd. 2. Special Circle II, Hyd. 3. Special Circle, Hyderabad 4. Salary Circle, Hyd. 5. Adoni Circle.
6.	Appellate Controller of Estate Duty, Hyd./Appellate Assistant Commissioner of Income-tax, ED-Range, Hyd.	1. Company Circle Hyd. 2. Company Ward of Secunderabad, Circle, Hyd. 3. Company Circle (old) Hyd. 4. Central Circle Hyd. 5. Central Circle (old) Hyd. 6. M.P.P. Circle, Hyd. 7. Project Circle, Hyd. 8. Spl. Circle III, Hyd.
7.	Appellate Assistant Commissioner of Income-tax, Visakhapatnam Range, Visakhapatnam.	1. Visakhapatnam. 2. Anakapalle. 3. Vijayanagaram. 4. Srikakulam. 5. Rajahmundry. 6. Amalapuram.
8.	Appellate Assistant Commissioner of Income-tax, Kakinada Range, Kakinada.	1. Circle I, Kakinada. 2. Circle II, Kakinada. 3. Palacofe.
9.	Appellate Assistant Commissioner of Income-tax, Vijayawada Range, Vijayawada.	1. Vijayawada. 2. Machilipatnam. 3. Cudivada. 4. Eluru.
10.	Appellate Assistant Commissioner of Income-tax, Anantapur Range, Anantapur.	1. Anantapur. 2. Hindupur. 3. Cuddapah. 4. Proddatur. 5. Chittoor. 6. Tirupati.
11.	Appellate Assistant Commissioner of Income-tax, Guntur Range, Guntur	1. Guntur. 2. Tanuku. 3. Tenali. 4. Bapatla. 5. Nellore. 6. Mica Circle (Old Nellore).

Where an Income-tax Circle, ward or District or part thereof stands transferred by this Notification from one range to another range, appeals arising out of assessments made in that I.T. Circle/Ward or District or part thereof and pending immediately before the date of this Notification before the A.A.C. of Income-tax of the range from which the Income-tax Circle/Ward or Distt. or part thereof is transferred, shall from the date, this notification shall take effect, be transferred to and dealt with by the AAC of Income-tax of the range to whom the said circle, Ward or District or part thereof is transferred.

This Notification shall take effect from 1-9-77.

EXPLANATORY NOTE

The amendments have become necessary on account of re-allocation of jurisdiction of the A.A.C. of Income-tax in the charges of Andhra Pradesh and consequent on creation of D-Range, Hyderabad, and abolition of Nellore Range, Nellore.

(This note does not form part of the notification but is intended to be merely clarifactory).

[No. 1952—F. No. 261/13/77-ITJ]

S.K. BHATNAGAR, Under Secy.

(व्यय विभाग)

नई दिल्ली, 5 नवम्बर, 1977

का० प्र० 3690—राष्ट्रपति, संविधान के अनुच्छेद 309 के परत्वक और अनुच्छेद 148 के खंड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय लेखा परीक्षा और लेखा विभाग में काम कर रहे व्यक्तियों की धाबत भारत के नियंत्रक महा-लेखा परीक्षक से परामर्श करते के पश्चात्, सिविल पेंशन (संराशीकरण) नियम, ————— में और संशोधन करने के लिये निम्नलिखित नियम बनाते हैं, अर्थात्—

1. (1) इन नियमों का नाम सिविल पेंशन (संराशीकरण)—चौथा संशोधन नियम, 1977 है ;

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे ।

2. सिविल पेंशन (संराशीकरण) नियम में, नियम 4 के पश्चात् निम्नलिखित नियम अन्तःस्थापित किया जायेगा, अर्थात्—

“4ख. केन्द्रीय सिविल सेवा (पेंशन) नियम, 1972 के नियम 41 के अधीन अनुज्ञापन अनुकम्पा भत्ते को इन नियमों के अधीन संराशीकरण के प्रयोजन के लिये पेंशन माना जायेगा ।”

[सं० का० 14(3)-संस्था०-V(क)/76]

एम० एम० एल० मल्होत्रा, अवर सचिव

(Department of Expenditure)

New Delhi, the 5th November, 1977

S.O 3690.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Civil Pensions (Commuation) Rules, namely—

1. (1) These rules may be called the Civil Pensions (Commuation), Fourth Amendment Rules, 1977

(2) They shall come into force on the date of their publication in the official Gazette.

2. In the Civil Pensions (Commutation) Rules, after rule 4A the following rule shall be inserted, namely :—

"4B. The compassionate allowance granted under rule 41 of the Central Civil Services (Pension) Rules, 1972 shall be treated as pension for the purpose of commutation under these rules."

[No. F. 14(3)-EV(A)/76]

S. S. L. MALHOTRA, Under Secy.

बाणिज्य मंत्रालय

(संयुक्त मुख्य-नियंत्रक, आयात-निर्यात का कार्यालय, कलकत्ता)

आदेश

कलकत्ता, 17 अगस्त, 1977

का०आ० 3691—सर्वश्री न्यू कामर्स ट्रेडिंग सिंडीकेट प्रा० लि०, पी०-3-न्यू० सी०आई० टी० रोड, कलकत्ता-73 और अप्रैल-मार्च, 78 अवधि के लिये मिश्र प्रकार के लाइसेंस प्रदान किया गया था :—

लाइसेंस संख्या एवं दिनांक माल का विवरण	मूल्य
पी०/ई०/2510782/सी०/ बालचीनी, लींग और	30,000 रुपये
एक्स०/एक्स०/63/सी०/77 जायफल/जावित्री	
दिनांक, 22-6-77	

पार्टी ने उक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिये यह बताते हुए आवेदन किया है कि यह सीमाशुल्क मदन, कलकत्ता, के पास पंजीकृत कराने के पश्चात् खो गई/अस्थानस्थ हो गई है और 20,000 रुपये का उपयोग में न लाया गया शेष धन अर्थात् 10,000 रुपये की दालचीनी के लिये और 10,000 रुपये की जायफल/जावित्री को छोड़ कर बांग के लिये 10,000 रुपये उपयोग में लाये गये हैं।

इस तर्क के समर्थन में पार्टी ने महानगर मैजिस्ट्रेट, कलकत्ता द्वारा विधिवत साक्षात्कृत स्टाम्प कागज पर एक शपथ-पत्र दायित्व किया है।

मैं संतुष्ट हूँ कि आयात लाइसेंस संख्या पी०/ई०/2510782/सी०/एक्स०/एक्स०/63/सी०/77, दिनांक 22-6-77 की सीमाशुल्क प्रति बिना रद्द किये, धरोहर रखे हस्तांतरण किये अथवा किसी भी अन्य प्रयोजन के लिये किसी भी अन्य पार्टी को सौंपे बिना खो गई/अस्थानस्थ हो गई है और निवेदन देता हूँ कि आवेदक को 20,000 रुपये मूल्य के लिये अर्थात् 10,000 रुपये की दालचीनी के लिये और 10,000 रुपये की जायफल/जावित्री के लिये उक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी की जानी चाहिये।

[संख्या ई० आई०/13194/3-ए०एम०-78/80]

आर० बारा, उप-मुख्य-नियंत्रक
रुने मुख्य नियंत्रक

MINISTRY OF COMMERCE

(Office of the Jt. Chief Controller of Imports & Exports, Calcutta)

ORDER

Calcutta, the 17th August, 1977

S.O. 3691.—M/s. New Comers Trading Syndicate Pvt. Ltd., P-3, New C.I.T. Road, Calcutta-73 was granted the licence for the period April—March '78 as under :—

Licence No. & date.	Description of goods.	Value.
P/E/2510782 C/XX/	Cinnamon cloves and	Rs. 33,000/-
63/C/77 dated 22-6-77	Nutmags/Mace.	

The party has applied for duplicate Customs Purposes copy of the above licence stating that the same has been lost or misplaced after having been registered with the Customs

House, Calcutta and utilised for Rs. 10,000/- for Cloves leaving the unutilised balance of Rs. 20,000/- i.e. Rs. 10,000/- for Cinnamon and Rs. 10,000/- for Nutmegs/Mace.

In support of this contention the firm have filed an affidavit on stamp paper duly attested by the Metropolitan Magistrate, Calcutta.

I am satisfied that the Customs copy of Import Licence No. P/E/2510782/C/XX/63/C/77 dated 22-6-77 has been lost/misplaced without having been cancelled, pledged, transferred or handed over to any other party for any purpose and direct to issue duplicate Customs purposes copy of the aforesaid licence to the applicant for the value of Rs. 20,000/- i.e. Rs. 10,000/- for Cinnamon and Rs. 10,000/- for Nutmegs/Mace.

[No. EI/13194/3/A-M'78/80]

R. BARA, Dy. Chief Controller
for Jt. Chief Controller

संयुक्त मुख्य-नियंत्रक, आयात-निर्यात का कार्यालय, मद्रास

आदेश

मद्रास, 17 अक्टूबर, 1977

का०आ० 3692—आयात लाइसेंस संख्या पी०/ई०/ 0266698/सी०/एक्स०/एक्स०/63/एम०/76, दिनांक 24-5-77 का सर्वश्री डी सुरेश भण्डारी, 10 चिन्ना नायकेन स्ट्रीट, सोकापट मद्रास को जारी किया गया था।

सार्वजनिक सूचना संख्या 30/77, दिनांक 28-5-77 के अनुसार आयात लाइसेंस धारियों की लाइसेंस जारी होने की तारीख से तीन मास के अन्दर माल आयात करने के लिये पक्की बचनबद्धता कर ली गई है अर्थात् उसमें असफल होने पर लाइसेंस स्वतः अवधि समाप्त जायेगा सर्वश्री डी० सुरेश भण्डारी, 10-चिन्ना नायकेन स्ट्रीट सोकापट, मद्रास को दिनांक 25-8-77 को एककारण बनाओ सूचना जारी की गई थी कि क्या पार्टी ने निर्धारित अवधि के अन्तर्गत पक्की बचनबद्धता कर ली है और यदि नहीं तो क्यों न उक्त आयात लाइसेंस रद्द कर दिया जाना चाहिये पार्टी ने कारण बताओ सूचना का न तो कोई उत्तर दिया है और न ही विधान के लिये कि उन्होंने पक्की बचनबद्धता की है, कोई दस्तावेज साध्य प्रस्तुत किया है।

पूर्वोक्त कठिनाई में जो कुछ भी वर्णन किया गया है कि उसे ध्यान में रखते हुए अधोहस्ताक्षरी संतुष्ट है कि विषयाधीन आयात लाइसेंस रद्द कर दिया जाना चाहिये अथवा अन्यथा रूप से अप्रभावित घोषित कर दिया जाना चाहिये। अतः समय-समय पर यथा संशोधित आयात (नियंत्रण) आदेश 1955 की धारा 9 के अन्तर्गत प्रवृत्त अधिकारों का प्रयोग कर अधोहस्ताक्षरी पार्टी के नाम में जारी किये गये उक्त आयात लाइसेंस का एनड्रा रद्द करना है।

[संख्या आई०टी०सी०/78/21(ए०)/3/4/ए०एम०/77 ई०आई०]

एम० नरसिम्ह, उप-मुख्य नियंत्रक,
रुने संयुक्त मुख्य नियंत्रक

(Office of the Joint Chief Controller of Imports and Exports)

ORDER

Madras, the 17th October, 1977

S.O. 3692.—The Import Licence No. P/Z/0266698/C/XX/63/M/76 dt. 24-5-77 was issued to M/s. D. Suresh Bhandari, 10, Chinna Naicken St., Sowcarpet, Madras-1.

In terms of Public Notice No. 30/77 dt. 28-5-77 the import licence holder were required to enter into firm commitments for import the materials within three months from the date of issue of licence, failing which the licence will automatically stand invalidate. A Show Cause Notice dated 25-8-1977 was issued to M/s. D. Suresh Bhandari, 10, Chinna Naicken St., Sowcarpet, Madras-1 as to whether any firm commitment has been made within the stipulated period and if not why the said import licence should not be cancelled. The firm have not replied to the show cause notice nor

produced any documentary evidence to show that they have entered into firm commitments.

Having regard to what has been stated in the preceding paragraphs, the undersigned is satisfied that the import licence, in question, should be cancelled or otherwise rendered ineffective. Therefore, the undersigned in exercise of the powers vested in under Sub-Clause (CC) of Clause 9 of the Import (Control) Order, 1955, as amended from time to time hereby cancel the import licence mentioned above and issued in favour of the firm.

[No. ITC/78/21(a)/iii/IV/AM. 77/EI]

S. NARASIMHAN, Chief Controller
for Joint Chief Controller

(सहाय-नियंत्रक, आयात-निर्यात का कार्यालय, नई दिल्ली)

अवेज

नई दिल्ली, 17 नवम्बर, 1977

कां.प्रा. 3693—तेल एवं प्राकृतिक गैस आयोग तेल भवन, देहरादून को हैंडलिंग टूल और टूल बॉक्स 6.314" × 4" × 68" क्रिस्टनसन कोर बैरल मात्रा 10-सेट का आयात करने के लिये 1,36,538/- रुपये (एक लाख छत्तीस हजार और पांच सौ अड़तीस रुपये मात्र) के लिए आयात ला. सं. जी०/सी०/जी०/2032089 दिनांक 6-12-76 प्रदान किया गया था। पार्टी से आयात लाइसेंस की सीमाशुल्क प्रति खो गई है जोकि किसी भी पक्ष प्राधिकारी से पंजीकृत नहीं कराई गई थी और जिस का बिस्कुल भी उपयोग नहीं किया गया था। पार्टी ने अब 1,36,538/- रुपये (एक लाख छत्तीस हजार और पांच सौ अड़तीस रुपये मात्र) के लिये उपर्युक्त आयात लाइसेंस की सीमाशुल्क प्रति की अनुलिपि प्रति जारी करने के लिये आवेदन किया है। इस तर्क के समर्थन में पार्टी ने स्टाम्प कागज पर शपथ पत्र प्रस्तुत किया है। मैं सन्तुष्ट हूँ कि आयात लाइसेंस सं. जी०/सी०/2032089 दिनांक 6-12-76 की मूल सीमाशुल्क प्रति पार्टी से खोई गई/अस्थानस्थ हो गई है और निदेश देता हूँ कि 1,36,538/- रुपये (एक लाख छत्तीस हजार पांच सौ अड़तीस रुपये मात्र) के लिये उपर्युक्त लाइसेंस सं. जी०/सी०/जी०/2032089 दिनांक 6-12-76 की अनुलिपि सीमाशुल्क प्रयोजन प्रति आवेदक को जारी की जानी चाहिये। इसलिये उपर्युक्त लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति रद्द की जाती है।

[संख्या सी०जी०-II-प्रा०/300/76-77/209]

(Office of the Chief Controller of Imports & Exports,
New Delhi)

ORDER

New Delhi, the 17th November, 1977

S.O. 3693.—M/s. Oil & Natural Gas Commission, Tel Bhawan, Dehra Dun were granted import licence No. G/CG/2032089 dated 6-12-76 for Rs. 1,36,538/- (Rupees One lakh Thirty six thousand Five hundred and Thirty Eight only) for the import of Handling Tools and tools box 6.314" × 46" × 68" Cristensen core barrel Qty. 10 sets. The party has lost the Customs copy of import licence which was not yet registered at any port authorities and utilised at all. The party has now applied for issue of duplicate copy of the Custom copy of the said import licence for the amount Rs. 1,36,538/- (Rupees One lakh Thirty Six thousand Five hundred and Thirty Eight only). In support of this contention, the party has furnished an affidavit on stamp paper. I am satisfied that the original custom copy of the import licence No. G/CG/2032089 dated 6-12-76 has been lost/misplaced by the party and direct that duplicate custom copy of the said licence No. G/CG/2032089 dated 6-12-1976 for Rs. 1,36,538/- (Rupees One lakh Thirty Six thousand Five hundred and Thirty Eight only) should be issued to the applicant. The original custom copy of the said licence is thereto cancelled.

[No. CGII/P&C/300/76-77/1335]

आदेश

कां.प्रा. 3694—सर्वश्री बोकारो स्टील लिमिटेड 1-लोवर सर्कुलर रोड कलकत्ता, को मोबियन समाजवादी गणतन्त्र संघ ने 2 नवम्बर 1972 के आदेश के अन्तर्गत आयात करने के लिये 1,58,47,089 रुपये (चार करोड़ अठ्ठावन लाख सैतालीस हजार नवसौ रुपये मात्र) के लिये आयात ला. सं. जी०/सी०/जी०/2028812/टी०यू०प्रा०/44/एच०/35-36/सी०जी०-II दिनांक 26-8-72 प्रदान किया गया था। 1 सर्वश्री बोकारो स्टील लिमिटेड ने अब आयात लाइसेंस की अनुलिपि प्रतियों के लिये आवेदन किया है। इसके समर्थन में श्री बोकारो स्टील लिमिटेड ने नोटरी पब्लिक कलकत्ता के सामने विधिवत् शपथ लेकर स्टाम्प कागज पर एक शपथ पत्र प्रस्तुत किया है। यह पुष्टि हो गई है कि उपर्युक्त लाइसेंस, सीमाशुल्क कार्यालय कलकत्ता में पंजीकृत बरतने के पक्ष खो गया है और उसका 4,44,37,937/- रुपये के लिये उपयोग कर लिया है, इस तरह उसमें 14,09,152/- रुपये मात्र का उपयोग करना शेष है। मैं सन्तुष्ट हूँ कि मूल आयात ला. सं. जी०/सी०/जी०/2028812/टी०यू०प्रा०/एच०/35-36/सी०जी०-II दिनांक 26-8-72 (दोनों प्रतियाँ) खो गई हैं और निदेश देता हूँ कि उपर्युक्त लाइसेंस आयात सं. जी०/सी०/जी०/2028812/टी०यू०प्रा०/एच०/35-36/सी०जी० दिनांक 26-8-72 (दोनों प्रतियाँ) की अनुलिपि प्रतियाँ आवेदक को जारी की जायें। इसलिये मूल आयात लाइसेंस (दोनों प्रतियाँ) रद्द किया जाता है। अब अनुलिपि लाइसेंस शेष बचे हुए 14,09,152/- रुपये (चौदह लाख, नौ हजार एक सौ अठ्ठावन रुपये मात्र) के उपयोग के लिये वैध होगा।

[संख्या सी०जी०-II-स्टील(24)/72-73/213]

टी०टी० ला, उच्च मुख्य नियंत्रक

ORDER

S.O. 3694.—M/s. Bokaro Steel Ltd., 1-Lower Circular Road Calcutta, were granted import licence No. G/CG/2028812/T/UR/44/H/35-36/CGII dt. 26th August, 1972 for Rs. 4,58,47,089 (Rupees four crores fifty eight lakh forty seven thousand and eighty nine only) for the import of two Nos. steam Boilers and Auxiliaries from USSR. M/s. Bokaro Steel Ltd., have now applied for issue of duplicate copies of import licence. In support of this M/s. Bokaro Steel Ltd., have furnished an affidavit on the stamped paper duly sworn before the Notary Public Calcutta. It is affirmed that the said licence was lost after having been registered with customs House, Calcutta and was utilized for Rs. 4,44,37,937/- thus leaving an unutilized balance of Rs. 14,09,152/- only. I am satisfied that the original import licence No. G/CG/2028812/T/UR/H/35-36/CGII dt. 26-8-72 (both copies) has been lost and direct that duplicate copies of the said import licence No. G/CG/2028812/T/UR/H/35-36/CGII dt. 26-8-72 (both copies) may be issued to the applicant. The original import licence (both copies) is therefore cancelled. The duplicate licence will now be valid for utilisation of the balance amount of Rs. 14,09,152/- (Rupees fourteen lakh nine thousand one hundred and fifty two only).

[No. CGII/Steel(24)/72-73/1334]

T. T. LA, Dy. Chief Controller

नई दिल्ली, 15 नवम्बर, 1977

(समुद्री उत्पाद उद्योग विकास नियंत्रक)

कां.प्रा. 3695—समुद्री उत्पाद निर्यात विकास प्राधिकरण नियम, 1972 के नियम 3 तथा 4 के साथ पठित समुद्री उत्पाद निर्यात विकास प्राधिकरण अधिनियम, 1972 (1972 का 13) की धारा 4 की उपधारा (3) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं. कां.प्रा. 5263 दिनांक 13 दिसम्बर, 1975 के अन्तर्गत पठित समुद्री उत्पाद निर्यात विकास प्राधिकरण, कोचीन के सदस्य के रूप में श्री बयलार रवि, संसद्

सदस्य के स्थान पर, जो लोक सभा का प्रतिनिधित्व करने के लिये समुद्री उत्पाद निर्यात विकास प्राधिकरण के सदस्य के रूप में नियुक्त किये गये थे, अधिनियम की धारा 4(3)(6) के अन्तर्गत अन्य हितों का प्रतिनिधित्व करने हेतु श्री के० जे० हरिश्चन्द्र, सदस्य, केरल विधान सभा, को एतद्वारा नियुक्त करती है।

[फा०सं० 5/14/75-ई०पी०(एग्री-11)]

आर० आर० सिंह, अवर सचिव

New Delhi, the 15th November, 1977

(MARINE PRODUCTS INDUSTRY DEVELOPMENT
CONTROL)

S.O. 3695.—In exercise of the powers conferred by sub-section(3) of Section 4 of the Marine Products Export Development Authority Act, 1972 (13 of 1972) read with the rule 3 and 4 of the Marine Products Export Development Authority rules, 1972, the Central Government hereby appoints Shri K. J. Herschel, Member of Legislative Assembly, Kerala as member of the Marine Products Export Development Authority, Cochin to represent other interests under Section 4(3) (vi) of the Act, constituted by the notification of the Government of India in the Ministry of Commerce, S. O. No. 5253 dated 13th December, 1975 vice Shri Vyalar Ravi, M. P., appointed as member of the Marine Products Export Development Authority to represent Lok Sabha.

[F. No. 5/14/75-EP.(Agri. II)]

R. R. Singh, Under Secy.

विवेश मंत्रालय

नई दिल्ली, 19 अक्तूबर, 1977

फा० आ० 3696.—उत्प्रवासन अधिनियम, 1972 (1922 के 7) के खंड 3 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्र सरकार क्षेत्रीय पासपोर्ट कार्यालय, दिल्ली में जन-सम्पर्क अधिकारी, श्री इरविन कुमार को 27-9-1976 से उनके अपने कार्यों के प्रतिनिधिक उत्प्रवासन-संरक्षण भी नियुक्त करती है।

[संख्या सी०पी०ई०ओ०/9/77/सं० एफ०-3(52) पी० वी०-4/60]

जी० जगन्नाथन, अवर सचिव (पी० वी० अ०)

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 19th October, 1977

S.O. 3696.—In exercise of the powers conferred by Section 3 of the Emigration Act, 1972 (VII of 1972), the Central Government hereby appoints Shri Irwin Kumar, Public Relations Officer, Regional Pass Port Office, Delhi to be Protector of Emigrants, Delhi with effect from 27-9-1976 in addition to his own duties.

[No. CPEO/9/77/No. F. 3(52) Pv. IV/60]

G. JAGANNATHAN, Under Secy. (PVA)

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

आदेश

नई दिल्ली, 19 सितम्बर, 1977

फा० आ० 3697.—यतः भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 25 मार्च, 1960 की अधिसूचना संख्या एम० ओ० 885 द्वारा केन्द्रीय सरकार ने यह निदेश किया है कि भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) के प्रयोजनों के लिये यूनिवर्सिटी कैंथोनलियु

टि लेविन, बेल्जियम द्वारा प्रदत्त "एम० डी०" चिकित्सा अर्हता मान्य चिकित्सा अर्हता होगी;

और यतः डा० लिडिया शेल्लेकेन्स जिनके पास उक्त अर्हता है, फिलहाल सेंट जोसेफ अस्पताल, थानिर्पाल्ली, दिन्दिगुल के साथ सम्बद्ध हैं;

अतः अब उक्त अधिनियम की धारा 14 की उपधारा (1) के के भाग (ग) का पालन करने हुए केन्द्रीय सरकार एतद्वारा —

(1) सरकारी राजपत्र में प्रकाशित होने की तिथि से आगे दो वर्ष की; अथवा

(2) उक्त अवधि को जब तक डा० लिडिया शेल्लेकेन्स उक्त सेंट जोसेफ अस्पताल, थानिर्पाल्ली, दिन्दिगुल के साथ सम्बद्ध रहते हैं, जो भी कम हो वह अवधि विनिश्चित करती है, जिसमें पूर्वोक्त डाक्टर गैडिकल प्रैक्टिस कर सकेंगे।

[संख्या वी० 11016/24/77-एम०पी०टी०/एम०ई०(पी)]

MINISTRY OF HEALTH & FAMILY WELFARE

(Department of Health)

ORDER

New Delhi, the 19th September, 1977

S.O. 3697.—Whereas by the notification of the Government of India in the late Ministry of Health No. S. O. 885, dated the 25th March, 1960, the Central Government has directed that the Medical qualification, "M.D." granted by the University Catholique de Louvain, Belgium, shall be recognised medical qualification for the purposes of the Indian Medical Council Act, 1956 (102 of 1956);

And whereas Dr. Lydia Schellekens who possesses the said qualification is for the time being attached to the St. Joseph's Hospital, Thannirpalli, Dindigul;

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

(i) a further period of two years from the date of publication of this order in the Official Gazette; or

(ii) the period during which Dr. Lydia Schellekens is attached to the said St. Joseph's Hospital, Thannirpalli, Dindigul, whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. V. 11016/24/77-MPT/ME(P)]

आदेश

नई दिल्ली, 16 नवम्बर, 1977

फा० आ० 3698.—यतः भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 27 मार्च, 1962 की अधिसूचना संख्या 16-15/61-एम-1 द्वारा केन्द्रीय सरकार ने यह निदेश दिया है कि भारतीय चिकित्सा अधिनियम, 1956 (1956 का 102) के प्रयोजनों के लिये यूनिवर्सिटी आफ बेल्जियम, स्पेन द्वारा प्रदत्त 'लाइसेंस मिबाडो आन् मेडिसिन एण्ड मिडिजिन' चिकित्सा अर्हता मान्य चिकित्सा अर्हता होगी;

और यतः डा० जिमेनो अलोन्सो एम्ब्रेस जिनके पास उक्त अर्हता है धर्मार्थ कार्य के प्रयोजन के लिये फिलहाल रि लेडी आफ फिलर अस्पताल, बड़ीवा के साथ सम्बद्ध है;

अतः, अब, उक्त अधिनियम की धारा 14 की उपधारा (1) के भाग (ग) का पालन करने हुए केन्द्रीय सरकार एतद्वारा—

(1) सरकारी राजपत्र में इस आदेश के प्रकाशन की तिथि से आगे दो वर्ष की; अथवा

- (2) उस अवधि को जब तक डॉ० जिमेनो अलोन्सो एन्सेलेस उक्त मेडी ऑफ पिलर अस्पताल, बड़ौदा के साथ सम्बद्ध रहने हैं, जो भी कम हो, वह अवधि विनिर्दिष्ट करती है, जिसमें पूर्वोक्त डाक्टर मेडिकल प्रैक्टिस कर सकेंगे।

[संख्या बी०-11016/25/77-एम०पी०टी०/एम०ई०(पी०)]

आर० बी० श्रीनिवासन, उप-सचिव

ORDER

New Delhi, the 16th November, 1977

S.O. 3698.—Whereas by the notification of the Government of India in the late Ministry of Health No. 16-15/61-M1, dated the 27th March, 1962, the Central Government has directed that the Medical qualifications, "Licenciado on Medicine & Cirugia" granted by the University of Valencia, Spain, shall be recognised medical qualifications for the purposes of the Indian Medical Council Act, 1956 (102 of 1956) ;

And whereas Dr. Gimeno Alonso Anceles, who possesses the said qualification is for the time being attached to the Lady of Pillar Hospital, Baroda, for the purposes of Charitable work.

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (1) of section 14 of the said Act, the Central Government hereby specifies—

- a further period of two years from the date of publication of this order in the Official Gazette; or
- the period during which Dr. Gimeno Alonso Anceles is attached to the said Lady of Pillar Hospital Baroda, whichever is shorter, as the period to which the medical practise by the aforesaid doctor shall be limited.

[No. V. 11016/25/77-MPT/ME(P)]

R. V. SRINIVASAN, Deputy Secy.

कृषि और सिंचाई मंत्रालय

(खाद्य विभाग)

नई दिल्ली, 6 अक्टूबर, 1977

शुद्धि-पत्र

क्र० आ० 3699—इस विभाग के 24 सितम्बर, 1973 के आदेश संख्या 52/21/68-आर०ई०-1/एफ०सी०-III, में निम्नलिखित शुद्धियाँ की जायें :—

स्थानान्तरण आदेश में क्रम संख्या	की जाने वाली शुद्धि
759	स्तम्भ 2 में "श्री एम० रघुनायाकुलु" के स्थान पर "श्री बी० रघुनाय-कुलु" पढ़ें।
1178	स्तम्भ 2 में, "श्री बी० वरधना राव" के स्थान पर "श्री बी० जनार्दन" पढ़ें।
1478	स्तम्भ 2 में, "श्री डी० चन्द्रासन" के स्थान पर "श्री डी० चन्द्रहासन" पढ़ें।

[संख्या 52/8/73-एफ०सी०-III (वालयुम 9)]

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Food)

New Delhi, the 6th October, 1977

CORRIGENDUM

S.O. 3699.—In this Department Order No. 52/21/68-REI/FC-III dated 24-9-1973, the following correction shall be carried out :—

S.No. in the Transfer Order	Correction to be carried out For the words
759	"Shri S. Raghunayakulu" in Col. 2, read "Shri B. Raghunayakulu".
1178	For the words "Shri V. Janardhana Rao" in Col 2, read "Shri V. Janardhan".
1478	For the words "Shri D. Chandrasan" in col. 2, read "Shri D. Chandrahasan".

[No. 52/8/73-FC-III (Vol. IX)]

नई दिल्ली, 7 अक्टूबर, 1977

शुद्धि-पत्र

क्र० आ० 3700—इस विभाग के 7-8-1974 के आदेश संख्या 52/21/68-एफ०सी०-III(ई०जे०) वालयुम 4 में निम्नलिखित शुद्धियाँ की जायें :—

स्थानान्तरण आदेश में क्रम संख्या	की जाने वाली शुद्धि
1102	स्तम्भ 2 में "श्रीमती नीलमा वामगुप्ता" के स्थान पर "श्रीमती नीलमा सेन गुप्ता" पढ़ें।
329	स्तम्भ 2 में "श्री सुभाष च० बनर्जी" के स्थान पर "श्री सुहाय च० बनर्जी" पढ़ें।
334	स्तम्भ 2 में, "श्री जे०सी० दत्ता" के स्थान पर "श्री जे०सी० दास" पढ़ें।
988	स्तम्भ 2 में, "श्री कुलेन्द्र कुमार शोम" के स्थान पर "श्री कुलेन्द्र कुमार बोरा" पढ़ें।
3032	स्तम्भ 2 में, "श्री रामदेह गुप्ता" के स्थान पर "श्री रामाधार गुप्ता" पढ़ें।
3042	स्तम्भ 2 में, "श्री उपेन्द्र नाथ केही" के स्थान पर "श्री उपेन्द्र नाथ सेही" पढ़ें।
1246	स्तम्भ 2 में, "श्री अवधेश कुमार" के स्थान पर "श्री अवधेश कुमार यादव" पढ़ें।

[संख्या 52/14/74-एफ०सी०-III(वालयुम 5)]

बकशी राम, उप सचिव

New Delhi, the 7th October, 1977

CORRIGENDUM

S.O. 3700.—In this Department Order No. 52/21/68/FC-III(EZ) Vol.-IV, dated 7-8-1974 the following corrections shall be carried out:—

S. No. in the Transfer Order	Correction to be carried out
1102	For the words "Smt. Nilima Dasgupta" in Col 2, read "Smt. Nilima Sengupta".
329	For the words "Shri Subhash Ch. Banerjee" in Col. 2, read "Shri Suhash Ch. Banerjee".
334	For the words "Shri J.C. Dutta" in col. 2, read "Shri J.C. Das".
988	For the words "Shri Kulendra Kumar Bose" in Col. 2, read "Shri Kulendra Kumar Boro".
3032	For the words "Shri Ramadhar Gupta" in Col. 2, read "Shri Ramadhar Gupta".
3042	For the words "Shri Upendra Nath Kedhi" in Col.2, read "Shri Upendra Nath Medhi".
1246	For the words "Shri Awadesh Kumar" in Col. 2, read "Shri Awadesh Kumar Yadav".

[No. 52/14/74-FC-III (Vol. V)]

BAKSHI RAM, Deputy Secy.

पूर्ति और पुनर्वासि मंत्रालय

(पुनर्वासि विभाग)

नई दिल्ली, 9 नवम्बर, 1977

क.० आ० 3701.—निष्क्रान्त सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उसके द्वारा लखनऊ के लघुवाद न्यायालय के अपर न्यायाधीश को, उनके अपर न्यायाधीश, लघुवाद न्यायालय लखनऊ के कार्यों के अतिरिक्त उक्त अधिनियम के अन्तर्गत या उसके द्वारा महा-अभिरक्षक को सौंपे गए कार्यों को निष्पादित करने के लिए, सहायक महा-अभिरक्षक, निष्क्रान्त सम्पत्ति के रूप में नियुक्त करती है।

[संख्या 1(4)/विशेष सेवा/77-एम०एम०II]

दीनानाथ असीजा, संयुक्त निदेशक

MINISTRY OF SUPPLY AND REHABILITATION

(Department of Rehabilitation)

New Delhi, the 9th November, 1977

S.O. 3701.—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints the Additional Judge, Small Causes Court, Lucknow, as Assistant Custodian General of Evacuee Property, in addition to his duties as Additional Judge, Small Causes Court, Lucknow, for the purpose of discharging the duties imposed upon the Custodian General by or under the said Act.

[No. 1(4)/Spl. Cell/77-S.S. II]

D. N. ASIJA, Jt. Director

श्रम मंत्रालय

नई दिल्ली, 8 नवम्बर, 1977

क.० आ० 3702.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एडेलहाइड एण्ड कम्पनी, पी० 41/15, नाटार पाल रोड, हावड़ा-5 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उप-बन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1974 को प्रवृत्त हुई समझी जाएगी।

[स० एम०-35017(56)/77-पी०एफ०-2(ii)]

MINISTRY OF LABOUR

New Delhi, the 8th November, 1977

S.O. 3702.—Whereas it appears to the Central Government that the employers and the majority of the employees in relation to the establishment known as Messrs Adelheid and Company, P-41/15, Natabar Paul Road, Howrah-5, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1974.

[No. S-35017(56)/77-PF-II(i)]

क.० आ० 3703.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 जनवरी, 1974 से मैसर्स एडेलहाइड एण्ड कम्पनी, पी० 41/15, नाटार पाल रोड, हावड़ा-5 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिश्चित करती है।

[स० एम० 35017(56)/77-पी०एफ०-2(ii)]

S.O. 3703.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of January, 1974 the establishment known as Messrs Adelheid and Company, P-41/15, Natabar Paul Road, Howrah-5, for the purposes of the said proviso.

[No. S. 35017/56/77-PF. II (ii)]

क.० आ० 3704.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कूल ग्यर कार्पोरेशन, 305-जी ब्लाक 'एफ', न्यू अलीपुर, कलकत्ता-53 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35017(66)/77-पी०एफ०-2]

S.O. 3704.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Cool Air Corporation, 105-G, Block 'F' New Alipore Calcutta-53, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1975.

[No. S. 35017/66/77-PF.II]

का०आ० 3705.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भारत प्रिंटिंग वर्क्स, 10, डाक्टर कार्तिक बोस स्ट्रीट, कलकत्ता-9 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35017(71)/77-पी०एफ०-2]

S.O. 3705.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bharat Printing Works, 10, Dr. Kartick Bose Street, Calcutta-9, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1977.

[No. S. 35017/71/77-PF.II]

का०आ० 3706.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रशोक प्रत्युमीनियम, पोस्ट बाक्स काटवा जिला बर्दवान (पश्चिमी बंगाल) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952, (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 अक्टूबर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35017/(72)/77-पी०एफ०-2]

112 G I/77-4

S.O. 3706.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Asoka Aluminium Post Office Katwa, District Burdwan (West Bengal), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of October, 1976.

[No. S. 35017/72/77-PF.II]

का०आ० 3707.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इन्डस्ट्रियल डेवलपमेंट एण्ड रिसर्च लैबोरेटरीज, 33/2, सतीश मुखर्जी मार्ग, कलकत्ता-26 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 28 फरवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35017(74)/77 पी०एफ०-2]

S.O. 3707.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Industrial Development and Research Laboratories, 33/2, Satish Mukherjee Road, Calcutta-26, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty eighth day of February, 1977.

[No. S. 35017(74)/77-PF.II]

का०आ० 3708.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इण्डियन एण्ड मरिनाईजिंग युनिट, पोस्ट आफिस कल्याण नगर, जिला 24-परगना (पश्चिमी बंगाल) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना, 1 जून, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35017(75)/77-पी०एफ०-2]

S.O. 3708.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Knitting and Mercerising Unit, Post Office Kalyan Nagar District 24-Parganas (West Bengal), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1976.

[No. S. 35017(75)/77-PF.II]

का०आ० 3709.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पूर्ण सिनेमा, स्टेशन रोड, कलना जिला बर्दवान, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० ए० 35017(76)/67 पी०एफ०-2]

S.O. 3709.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Purna Cinema, Station Road, Kalna, District Burdwan, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1976.

[No. S. 35017(76)/77-PF.II]

का० आ० 3710 —यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स टेक्नो क्राफ्ट कारपोरेशन, 55/डी देशप्राण शास्मल रोड, कलकत्ता-33 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० ए० 35017(77)/77 पी०एफ०-2]

S.O. 3710.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Techno Craft Corporation, 55/D, Deshapran Sashmal Road, Calcutta-33, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1976.

[No. S. 35017(77)/77-PF.II]

का०आ० 3711.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रोमर सेल्स (प्राइवेट) लिमिटेड, 225/सी लोवर सर्कुलर रोड, कलकत्ता-20, जिसमें उसका मुख्य कार्यालय भी है और "शाहिबाग हाउस" 13, वालचंद हीराचंद मार्ग मुम्बई-38, पर स्थित है नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी

[सं० ए० 35017(79)/77-पी०एफ०-2(ii)]

S.O. 3711.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Promar Sales (Private) Limited, 225/C Lower Circular Road, Calcutta-20, including its Head Office "Shabibag House", 13, Walchand Hira Chand Marg, Bombay-38, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1977.

[No. S. 35017(79)/77-PF.II(i)]

का०आ० 3712.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 जनवरी, 1977 से मैसर्स प्रोमर सेल्स (प्राइवेट) लिमिटेड, 225/सी, लोवर सर्कुलर रोड, कलकत्ता-20 अपने मुख्य कार्यालय "शाहिबाग हाउस" 13, वालचंद हीराचंद मार्ग, मुम्बई-38, पर स्थित है नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० ए० 35017(79)/77-पी०एफ०-2(ii)]

S.O. 3712.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of January, 1977 the establishment known as Messrs Promar Sales (Private) Limited, 225/C, Lower Circular Road, Calcutta-20 including its Head Office at "Shabibag House" 13, Walchand Hira Chand Marg, Bombay-38, for the purposes of the said proviso.

[No. S. 35017(79)/77 PF.II(ii)]

का०आ० 3713.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ईस्ट पत्तिहाटी कन्जूमर्स कोऑपरेटिव स्टोर्स लिमिटेड, गोपी नगर, पत्तिहाटी, 24-परगना जिसमें नीलगेज रोड, पोस्ट आफिस पत्तिहाटी, 24-परगना स्थित उसकी शाखाएं हैं, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 सितम्बर, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017(81)/77-पी०एफ०-2]

S.O. 3713.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs East Panihati Consumer's Co-operative Stores Limited, Gandhi Nagar, Panihati, 24-Paraganas including its branch at Nilganj Road, Post Office Panihati, 24-Parganas, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provision of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of September, 1975.

[No. S. 35017 (81)/77-PF. II]

का० आ० 3714.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आनन्द प्रकाश ओम प्रकाश शारदा, पोस्ट आफिस बिष्नुपुरा, जिला बांकुरा, पश्चिमी बंगाल, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 सितम्बर, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017(83)/77-पी० एफ०-2]

S.O. 3714.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Anand Prakash Om Prakash Sarda, Post Office, Bishnupur, District Bankura, West Bengal, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of September, 1975.

[No. S. 35017 (83)/77-PF. II]

का० आ० 3715.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स चूनीलाल ट्रेडिंग कम्पनी (प्राइवेट) लिमिटेड, युसूफ बिल्डिंग, 49 वी०एन० रोड, मुम्बई-1 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 मार्च 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35018(49)/77-पी०एफ०-II(i)]

S.O. 3715.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Choonilal Trading Company (Private) Limited, Yusuf Building, 49 V.N. Road, Bombay-400001, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1975.

[No. S-35018 (49)/77-PF. II(i)]

का० आ० 3716.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 31 मार्च, 1975 से मैसर्स चूनीलाल ट्रेडिंग कम्पनी (प्राइवेट) लिमिटेड, युसूफ बिल्डिंग, 49 वी०एन० रोड, मुम्बई-1 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एम०-35018(49)/77-पी०एफ०-2(ii)]

S.O. 3716.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the thirty first day of March, 1975, the establishment known as Messrs. Choonilal Trading Company (Private) Limited, Yusuf Building, 49 Y. N. Road, Bombay-1, for the purposes of the said proviso.

[No. S-35018 (49)/77-PF. II(ii)]

का० आ० 3717.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नामसिंगका इन्टरप्राइजेज, मेकर भवन, 1-सर विठ्ठलदास थैकरसे, मार्ग, मुम्बई-20 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 नवम्बर 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35018(65)/77-पी०एफ०-2(i)]

S.O. 3717.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mansingka Enterprises, Maker Bhavan, 1, Sir Vithaldas Thackersey Marg, Bombay-20, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1976.

[No. S-35018 (65)/77-PF. II(i)]

का० आ० 3718.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जाँच करते के पश्चात् 1 नवम्बर, 1976 से मैसर्स मानसिंगका इन्टरप्राइजेस, नकेर भवन, 1-सर विठ्ठलराम थाकरसे मार्ग, मुम्बई-20 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस-35018(65)/77-पी०एफ०-2(ii)]

S.O. 3718.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of November, 1976 the establishment known as Messrs Mansingka Enterprises, Maker Bhavan, 1, Sir Vithaldas Thakersey Marg, Bombay-20, for the purposes of the said proviso.

[No. S. 35018/65/77-PF. II (ii)]

का० आ० 3719.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रगति. एकक सं० 4, एलाइड औद्योगिक एस्टेट कार्यालय, एम० एम० छोटानी मार्ग, मुम्बई-16, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 अगस्त, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35018(69)/77-पी०एफ०-2]

S.O. 3719.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Pragati, Unit No. 4, Allied Industrial Estate, Office M. M. Chhotani Road, Mahim, Bombay-16, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of August, 1975.

[No. S-35018/69/77-PF. II]

का० आ० 3720.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रणाव औद्योगिक सेवा (प्राइवेट) लिमिटेड, 49 वार्डन कोर्ट, अगस्त क्रांति मार्ग, मुम्बई-36, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35018(79)/77-पी०एफ०-2]

S.O. 3720.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Pranava Industrial Services (Private) Limited, 49, Warden Court, August, Kranti Marg, Bombay-36, have agreed that the provisions of the Employees' Provident Funds Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1976.

[No. S-35018/79/77-PF. II]

का० आ० 3721.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स राजश्री फिल्मस् कम्बाइन (प्राइवेट) लिमिटेड, 'भावना', 422 वीर सावरकर रोड, प्रभादेवी, मुम्बई-25, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(82)/77-पी०एफ० II (i)]

S.O. 3721.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rajshri Films Combine (Private) Limited, 'Bhavna', 422, Veer Savarkar Road, Prabhadevi, Bombay-25, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S-35018/82/77-PF. II (i)]

का० आ० 3722.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जाँच करते के पश्चात् 1 अप्रैल, 1976 से मैसर्स राजश्री फिल्मस् कम्बाइन (प्राइवेट) लिमिटेड, 'भावना' 422 वीर सावरकर रोड, प्रभादेवी, मुम्बई-25, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35018(82)/77-पी०एफ० II (ii)]

S.O. 3722.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of April, 1976 the establishment known as Messrs Rajshri Films Combine (Private) Limited, 'Bhavna', 422, Veer Savarkar Road, Prabhadevi, Bombay-25 for the purposes of the said proviso.

[No. S. 35018/82/77-PF. II(ii)]

का० आ० 3723.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स राइटिंग इन्स्ट्रुमेंट्स (प्राइवेट) लिमिटेड, 125 अध्यारु इन्डस्ट्रियल एस्टेट, न्यू सन मिल कंपाउन्ड, लोअर पारेल, मुम्बई-13, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जून, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35018(85)/77-पी०एफ० II]

S.O. 3723.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Writing Instruments (Private) Limited, 125, Adhyaru Industrial Estate, New Sun Mill Compound Lower Parel, Bombay-13, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1976.

[No. S. 35018/85/77-PF. II]

का० आ० 3724.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लोकमल किशनचन्द एक्सपोर्ट्स (प्राइवेट) लिमिटेड, गजदार हाउस चौथी मंजिल, 629-ए०, जे० शंकर गेट मार्ग, मुम्बई-2, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 सितम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35018(86)/77-पी० एफ० II (i)]

S.O. 3724.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Lahumal Kishinchand Exports (Private) Limited, Gazdar House, 3rd Floor, 629-A, J. Shankar Sheti Marg, Bombay-2, have agreed that the provisions of the employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of September, 1976.

[No. S. 35018/86/77-PF. II(i)]

का० आ० 3725.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नाज एन्टरप्राइजेज, मारफत मारवल प्लास्ट (प्राइवेट) लिमिटेड, प्लॉट सं० 6, मारवाह एस्टेट, साकी बिहार रोड, मुम्बई-72, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस-35018(87)/77-पी० एफ० II]

S.O. 3725.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Naz Enterprises, care of Narval Plast (Private) Limited, Plot No. 6, Marwah Estate, Saki Vihar Road, Bombay-72, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1977.

[No. S. 35018/87/77-PF. II]

का० आ० 3726.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नेशनल अडहेसिव एण्ड केमिकल्स मेन्यूफैक्चरर्स, 26, महाकाली केव्स रोड, अन्धेरी (पूर्व), मुम्बई-93 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना एक जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(88)/77 पी०एफ० II]

S.O. 3726.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs National Adhesives and Chemicals Manufacturers, 26, Mahakali Caves Road, Andheri (East), Bombay-93, have agreed that the provisions of the employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1976.

[No. S. 35018/88/77-PF. II]

कां०आ० 3727.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 31 मई, 1977 से सैमर्स मेट्रो ट्रेडिंग सिंडिकेट, बाजार रोड, कोचीन-2, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एम-35019(298)/77-पी० एफ०-2(ii)]

S.O. 3727.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the thirty-first day of May, 1977 the establishment known as M/s. Metro Trading Syndicate, Bazar Road, Cochin-2 for the purposes of the said proviso.

[No. S. 35019(298)/77-PF. II(ii)]

कां०आ० 3728.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सैमर्स जयभारथी स्वीट्स स्टाल, कोर्ट रोड, तेलीचेरी-1, कन्नानोर जिला नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जून, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम 35019(315)/77 पी० एफ० 2)]

S.O. 3728.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jayabharathi Sweets Stall, Court Road, Tellicherry-1, Cannanore District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1977.

[No. S. 35019/315/77-PF. II]

कां०आ० 3729.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सैमर्स मनहरलाल जेठालाल मेहता एण्ड ब्रदर्स, काकीनाडा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 नवम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम 35019(322)/77 पी० एफ० 2]

S.O. 3729.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Manharlal Jethalal Mehta and Brothers, Kakinada, have agreed that

the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1976.

[No. S. 35019/322/76-PF. II]

कां०आ० 3730.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सैमर्स उदीपी रेस्टोरेंट, बल्लभमाई रोड, काकीनाडा नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 दिसम्बर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम 35019(323)/77-पी० एफ० 2)]

S.O. 3730.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Udiipi Restaurant, Vallabhmai Road, Kakinada, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of December, 1976.

[No. S. 35019/323/77-PF. II]

कां०आ० 3731.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सैमर्स वेंकटेश्वर टाकीज, काकीनाडा-533001 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम 35019(326)/77 पी० एफ० 2)]

S.O. 3731.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Venkateswara Talkies, Kakinada-533001, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1977.

[No. S. 35019/326/77-PF. II]

कांआ० 3732.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स गोकक मिल्स कर्मचारी उपभोक्ता सहकारी सोसाइटी लिमिटेड गोकक फाल्म बेलगाव जिला नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 जुलाई, 1977 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(328)/77-पी०एफ० 2(i)]

S.O. 3732.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Gokak Mills Employees Consumer's Co-operative Society Limited, Gokak Falls, Belgaum District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1977.

[No. S. 35019(328)/77-PF.II(i)]

कांआ० 3733.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 जुलाई, 1977 से मैसर्स गोकक मिल्स कर्मचारी उपभोक्ता सहकारी सोसाइटी लिमिटेड, गोकक फाल्म बेलगाव जिला नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है ।

[सं० एम० 35019(328)/77 पी०एफ० 2(ii)]

S.O. 3733.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of July, 1977 the establishment known as Messrs. Gokak Mills Employees Consumer's Co-operative Society Limited, Gokak Falls, Belgaum District for the purposes of the said proviso.

[No. S. 35019/328/77-PF. II(ii)]

कांआ० 3734.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि केलटान रेक्टिफायर्स लिमिटेड, मूलानकुन्नाथुकवु डाकघर शोर्नमूर रोड, त्रिचूर जिला नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 जून, 1977 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(330)/77 पी०एफ० 2

S.O. 3734.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Keltron Rectifiers Limited, Mulankunnathukavu, Post Office Shornmūr Road, Trichur District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1977.

[No. S. 35019/330/77-PF. II]

कांआ० 3735.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नरकटिया गंज फार्म्स, लिमिटेड, डाकघर नरकटिया गंज, चम्पारन नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1 जनवरी, 1973 को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(371)/77 पी०एफ० 2(i)]

S.O. 3735.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Narkatia Ganj Farms Limited, Post Office Narkatia Ganj, Champaran, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1973.

[No. S. 35019(371)/77-PF. II(i)]

कांआ० 3736.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 जनवरी, 1973 से मैसर्स नरकटिया गंज फार्म्स लिमिटेड, डाकघर नरकटिया गंज, चम्पारन, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है ।

[सं० एम० 35019(371)/77 पी०एफ० 2(ii)]

S.O. 3736.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of January, 1973 the establishment known as Messrs. Narkatia Ganj Farms Limited, Post Office Narkatia Ganj, Champaran, for the purposes of the said proviso.

[No. S. 35019/371/77-PF. II(ii)]

कां० 3737.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पी० एम० एण्ड सन्स कान्स्ट्रक्शन एंड कन्सल्टिंग इंजीनियर्स, कल्लूर रोड, पोस्ट बॉक्स सं० 1103, एर्नाकुलम, ग्राम, कनायानूर तालुक, कोचीन 11 नामक स्थापन से सम्बद्ध निरीक्षक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 जुलाई, 1977 को प्रवृत्त हुई समीचीन जाएगी।

[सं० एम० 35019(388)/77 पी०एफ० 2]

एम० एस० सहस्रनामान, उप सचिव

S.O. 3737.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs P. M. Mani and Sons, Construction and Consulting Engineers, Kaloor Road, Post Box No. 1103, Ernakulam, Village, Kanavannur Taluk, Cochin-11, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of July, 1977.

[No. S. 35019/388/77-PF. II]

S. S. SAHASRANAMAN, Dy. Secy.

नई दिल्ली, 11 नवम्बर, 1977

कां० 3738.—वैयक्तिक क्षति (प्रतिकर बीमा) अधिनियम, 1963 (1963 का 37) की धारा 14 की उपधारा (1), धारा 15 की उपधारा (1), धारा 16, 17 और 18 के अनुसरण में, केन्द्रीय सरकार, उत्तर प्रदेश के मुख्य कारखाना निरीक्षक और उपमुख्य कारखाना निरीक्षक को समस्त उत्तर प्रदेश राज्य में उक्त अधिनियम की धारा 14, 15, 16, 17 और 18 के अधीन शक्तियों का और वरिष्ठ कारखाना निरीक्षकों को अपनी-अपनी अधिकारिता के अन्तर उक्त अधिनियम की धारा 14 और 15 के अधीन शक्तियों का प्रयोग करने के लिए एतद्वारा प्राधिकृत करती है।

[संख्या एम० 19025/27/72-कारखाना]

कु० मीना गुप्ता, अवर सचिव

New Delhi, the 11th November, 1977

S.O. 3738.—In pursuance of sub-section (1) of Section 14, sub-section (1) of section 15, sections 16, 17 and 18 of the Personal Injuries (Compensation Insurance) Act, 1963 (37 of 1963), the Central Government hereby authorises the Chief Inspector of Factories and the Deputy Chief Inspectors of Factories, Uttar Pradesh, to exercise the powers under sections 14, 15, 16, 17 and 18 of the said Act throughout the State of Uttar Pradesh and the Senior Inspectors of Factories to exercise, within their respective jurisdictions, the powers under sections 14 and 15 of the said Act.

[No. S. 19025/8/77-Fac.]

Km. MEENA GUPTA, Under Secy.

अदेश

कां० 3739.—पथखेड़ा क्षेत्र, बेस्टन कोलफील्ड्स लिमिटेड के प्रबंधकों और उन कर्मचारियों के बीच, जिनका प्रतिनिधित्व बेतुल जिला राष्ट्रीय खदान कर्मचारी संघ (आई एन टी यू सी), संयुक्त खदान मजदूर

संघ (ए आई टी यू सी) और कोयला खदान कर्मचारी कांग्रेस, पथखेड़ा करने है, एक औद्योगिक विवाद विद्यमान है;

और उक्त प्रबंधकों और उनके कर्मचार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 10क की उपधारा (1) के उपबंधों के अनुसरण में, लिखित करार द्वारा, इस बात के लिए सहमत हो गए हैं कि उक्त विवाद, उसमें वर्णित व्यक्ति की मध्यस्था के लिए भेज दिया जाए और उक्त मध्यस्थता करार की एक प्रति केन्द्रीय सरकार को भेज दी गई है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (3) के उपबंधों के अनुसरण में, केन्द्रीय सरकार, उक्त मध्यस्थता करार को, प्रकाशित करती है।

करार

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10क के अधीन)

पक्षकारों का नाम :

नियोजकों के प्रतिनिधि :

महा प्रबंधक, पथखेड़ा क्षेत्र, बेस्टन कोलफील्ड्स लिमिटेड, पथखेड़ा, जिला बेतुल, मध्य प्रदेश।

कर्मचारियों के प्रतिनिधि :

1. बेतुल जिला राष्ट्रीय खदान कर्मचारी संघ (आई एन टी यू सी), पथखेड़ा
2. संयुक्त खदान मजदूर संघ (ए आई टी यू सी) पथखेड़ा।
3. कोयला खदान कर्मचारी कांग्रेस, पथखेड़ा।

पक्षकारों के बीच यह करार हो गया है कि निम्नलिखित विवाद को श्री एम० एस० डिक्ले, संयुक्त मुख्य श्रम आयुक्त (केन्द्रीय) नई दिल्ली की मध्यस्थता के लिए भेज दिया जाए।

(i) विवादग्रस्त विशिष्ट कोलियरी के साधारण विश्राम दिन पर कामकाज
मामला
कर्मचारियों को, जिनमें वे कर्मकार भी हैं जिनके विश्राम दिन व्यवस्थित हैं और जिनका यह दिन विश्राम का प्राधिकृत दिन समझा जाता है, जब उन्हें काम करने के लिए बुलाया जाए तब सामान्य विश्राम दिन पर काम करने के लिए, सदैव मजदूरी की दर क्या होनी चाहिए और किस तारीख से उसे लागू किया जाना चाहिए।

(ii) पक्षकारों के विवरण :

प्रबंधक :

महा प्रबंधक, पथखेड़ा क्षेत्र, बेस्टन कोलफील्ड्स लिमिटेड, पथखेड़ा, जिला बेतुल, मध्य प्रदेश।

कर्मचारियों के प्रतिनिधि (संघ) :

1. बेतुल जिला राष्ट्रीय खदान कर्मचारी संघ (आई एन टी यू सी), पथखेड़ा, जिला बेतुल।
2. संयुक्त खदान मजदूर संघ (ए आई टी यू सी) पथखेड़ा, जिला बेतुल।
3. कोयला खदान कर्मचारी कांग्रेस, पथखेड़ा, जिला बेतुल।

(iii) कर्मचारों के प्रतिनिधि जैसे ऊपर दिए गए हैं।

संघों के नाम :

(iv) प्रभावित उपक्रम में नियोजित कर्मचारों की कुल संख्या : बेस्टन कोलफील्ड्स लिमिटेड के पथखेड़ा क्षेत्र में 5000 (पांच हजार)

(V) उन कर्मचारों की सभी 5000 कर्मकार प्रभावित होंगे।
 प्राप्ति मन्त्रालय जो
 विवाद में प्रभावित
 हैं या उनके प्रभावित
 होने की संभावना है।

हम इस बात पर भी सहमत हैं कि मध्यस्थ का विनिर्णय हम पर बाध्यकारी होगा।

मध्यस्थ श्रमता पंचाट, समुचित सरकार द्वारा राजपत्र में हम करार के प्रकाशन की तारीख से एक मास के भीतर, या ऐसे अनिश्चित समय के भीतर जो हम लोगों के बीच लिखित रूप में पारस्परिक सहमति से बढ़ाया जाए, देगा। यदि पंचाट पूर्ववर्तिन अतिथि के भीतर नहीं दिया जाता है तो मध्यस्थता का निर्देश स्वतः रद्द हो जाएगा और हम लोग नई मध्यस्थता के लिए बातचीत करने के लिए स्वतंत्र होंगे।

पक्षकारों के हस्ताक्षर

1. नियोजकों के प्रतिनिधि ह०/-एम०एल० दुगर, महा प्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड, पथकहरा, क्षेत्र
 8-10-77
2. कर्मचारों के प्रतिनिधि ह०/-एम० जनार्दन, उप-अध्यक्ष, बी० जैष्ठ० आर० के०के० एम० (आई एन टी यू सी)
 ह०/-जयराम सूर्यवंशी, महा सचिव,
 एम० के० एम० एस० (ए आई टी यू सी)
 ह०/- पी०एम० चौधरी (8-10-77) सचिव,
 को० एम० के० कोल्रेम

साक्षी

1. के० मोदी ह०/-सिविल डिभाग पी के डी
2. एम० एल० पात्रे ह०/-मन्पुरा खान सं० II

में सहमत ह०

ह०/-एम० एम० धिक्ले 14-10-77
 संयुक्त मुख्य श्रम आयुक्त (सी)
 श्रम मंत्रालय
 नई दिल्ली

[सं० एम०-18013(1)/77-डी-IV (बी)]

सुप्रेम नाथ, डैक ऑफिसर

ORDER

S.O. 3739:—Whereas an industrial dispute exists between the management of Pathakhera Area, Western Coalfields Ltd. and their workmen represented by Betul Zilla Rashtriya Khadan Karmachari Sangh (INTUC), Samyukta Khadan Mazdoor Sangh (AITUC) and Koyla Khadan Karmachari Congress, Pathakhera;

And whereas the said management and their workmen have by a written agreement in pursuance of the provisions of sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) agreed to refer the said dispute to arbitration of the person mentioned therein and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement.

112 GI/77 -5

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

Name of the Parties :

Representing Employers: General Manager, Pathakhera Area, Western Coalfields Limited, Pathakhera, Distt. Betul, Madhya Pradesh.

Representing Workmen : 1. Betul Zilla Rashtriya Khadan Karmachari Sangh (INTUC), Pathakhera.
 2. Samyukta Khadan Mazdoor Sangh (AITUC), Pathakhera.
 3. Koyla Khadan Karmachari Congress, Pathakhera.

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri S.M. Dikhalo, Joint Chief Labour Commissioner (Central), New Delhi.

(i) Specific matter in dispute: "What should be the rate of wages payable for work on general rest day of the colliery to the workers including whose rest days are staggered and whose this day is deemed to be an authorised day of rest, when called for work and from what date should it be applicable?"

(ii) Details of the parties:

Management : General Manager, Pathakhera Area, Western Coalfields Limited, Pathakhera, Distt. Betul, Madhya Pradesh.

Workmen representatives (Unions) : (1) Betul Zilla Rashtriya Khadan Karmachari Sangh (INTUC), Pathakhera, Distt. Betul.
 (2) Samyukta Khadan Mazdoor Sangh (AITUC) Pathakhera, Distt. Betul.
 (3) Koyla Khadan Karmachari Congress, Pathakhera, Distt. Betul.

(iii) Name of the Unions representing the workmen: As given above.

(iv) Total number of workmen employed in the undertaking affected: 5000 (Five thousand) in Pathakhera Area of the Western Coalfields Ltd.

(v) Estimated number of workmen affected or likely to be affected by the dispute: All the 5000 workmen will be affected.

We further agree that the decision of the Arbitrator shall be binding on us.

The Arbitrator shall make his award within a period of one month, from the date of publication of this agreement in the Official Gazette by the appropriate Government, or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period afore-mentioned, the reference to arbitration shall stand

automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the Parties

1. Representing the employer: Sd/- M.L. Dugar, Genl. Manager, Western Coalfields Limited, Pathakhera Area.
2. Representing workmen : Sd/- N. Janardhanan, 8-10-77 Vice-President, B.Z.R.K.K.S. (INTUC).
Sd/- Jairam Suryawansi Genl. Secretary, S.K.M.S. (AITUC).
Sd/- P.S. Choudhury, 8-10-77 Secretary, K.K.K. Congress

Witnesses :

1. K. Modi Sd/- Civil Deptt. PKD

I agree

2. S.N. Pandey Sd/- Satpura Mine No. II

Sd/- S.M. DHIKARIE,
14-10-77
Joint Chief Labour Commissioner (C), Ministry of Labour, New Delhi.

[No. L-18013 (1)/77-D-IV(B)]
BHUPENDRA NATH, Desk Officer

New Delhi, the 15th November, 1977

S.O. 3740.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bombay in the Industrial dispute between the employers in relation to the Owner of the Launch "Mangala" and their workmen which was received by the Central Government on the 9th November, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, BOMBAY CAMP PANAJI

Reference No. CGIT-2/8 of 1974

PARTIES :

Employers in Relation to the Owner of Launch 'Mangala'

AND

Their Workmen

S/Shri Krishna Bapu Naik and Kalidas Gopal Paradkar through the Goa Dock Labour Union, Vasco-da-Gama.

APPEARANCES :

For the Owner—No appearance

For the workmen Shri Mohan Nair, General Secretary, Goa Dock Labour Union.

INDUSTRY : Ports and Docks

STATE : Goa, Daman and Diu

Bombay, the 30th September, 1977

AWARD

The Government of India in the Ministry of Labour acting under Section 10(1)(d) of the Industrial Disputes Act, 1947 has referred the following dispute for adjudication to this Tribunal by its order No. L-36012/4/74-P&D dated 13-3-1974 :—

"Whether the action of the Owner of Launch 'Mangala' in terminating the services of Sarvashri Krishna Bapu Naik and Kalidas Gopal Paradkar, Launch Khalasis, is justified ?

If not to what relief the workmen are entitled to ?"

The facts as disclosed in the statement of claim filed by the Goa Dock Labour Union on behalf of the workmen Krishna Bapu Naik and Kalidas Gopal Paradkar, are that the two workmen herein were employed by M/s P. J. Pai and S. R. Navelkar owners of the Launch 'Mangala' as Khalasis. Krishna Bapu Naik put in a total period of 1 year and 7 months while Kalidas Gopal Paradkar put in 2 years and 3 months of service. Their services were terminated on 18-9-1973 by letters of even date without disclosing any reasons, nor was the order of termination from service preceded by any domestic enquiry. They submit that the termination of their services is not according to law. Through the Goa Dock Labour Union they raised an industrial dispute with the management regarding their illegal discharge from service. The Assistant Labour Commissioner (C), Vasco da Gama took up the matter in conciliation. The attempt at Conciliation having failed the Assistant Labour Commissioner (C), Vasco da Gama submitted a Failure of Conciliation Report to the Government on receipt of which the Central Government has referred that dispute to this Tribunal for adjudication. The workmen pray for reinstatement with full back wages and continuity of service.

The Owners M/s P. J. Pai and S. R. Navelkar jointly filed a written statement signed by one of the owners Shri S. R. Navelkar only. They say that on 31-10-1973 at about 9.30 p.m. the workmen Krishna Bapu Naik sabotaged the steering assembly of the Launch 'Mangala' deliberately and joined in an attack on Vaikunt Naik, an employee on the Launch 'Rohini'. After the above incident Krishna Bapu Naik failed to report himself for duty. He was absconding. On 4-12-1973 the Owners traced Krishna Bapu Naik and served on him the show cause notice dated 5-11-1973. After receipt of the said show cause notice the workman disappeared. The owners submit that the workman Krishna Bapu Naik voluntarily gave up the services under them and that it was not a case of dismissal from service. The other workman Kalidas Gopal Paradkar took active part in violence on more than one occasion on the Launch 'Nanda' for which offence he was arrested by the Police. He was later released on bail. They say that the said workman is also involved in three other criminal cases and two security proceedings (Chapter cases). As the two workmen were prone to indulge in violent activities the owners submit that they did not consider it safe to retain them in service. Therefore they terminated their services with effect from 18-9-1973. They submit that this reference may be answered against the workmen for the reasons given above.

Notice of hearing at Panaji for the hearing date 19-9-1977 and subsequent days was issued to both the owners of the Launch M/s P. J. Pai and S. R. Navelkar. The owners did not appear before the Court either on 19-9-1977 or on 20-9-1977 to which date the case stood adjourned. Therefore Shri Mohan Nair, General Secretary, Goa Dock Labour Union was heard for the workmen and the owners were set ex-parte.

On 29-8-1977 a letter by registered post with acknowledgement due was received in this office from Shri S. R. Navelkar one of the owners stating that the Owner of the Launch 'Mangala' Shri P. J. Pai died on 24-7-1977 and that he (Mr. Navelkar) had absolutely nothing to do with the management or working of that Launch. This statement which is unsigned is inconsistent with the earlier plea raised by Shri Navelkar stating that he and Pai were joint owners of that Launch. Before the Assistant Labour Commissioner (C), Vasco da Gama it was represented that the Launch was owned by Shri Pai a relation of his and the day to day management was in his (S. R. Navelkar) hands. The stand taken by Shri Navelkar from time to time being inconsistent, he was set ex-parte. The other joint owner Shri Pai was also absent. Shri Mohan Nair is heard for the workmen.

The points that arise for consideration are :—

- (1) Whether the termination of the services of Sarva Shri Krishna Bapu Naik and Kalidas Gopal Paradkar, Launch Khalasis by the Owners of the Launch 'Mangala' is justified ?

(2) If not to what relief are they entitled to ?
Point 1 :

The workmen Krishna Bapu Naik (WW-1) claims to have worked on the Launch Mangala for a period of one year and 7 months before the date of discharge on 18-9-73. The other workman Kalidas Gopal Paradkar (WW-2) claims to have worked on the same Launch for a period of 2 years and 3 months. Both of them were employed as Khalasis on that Launch. While WW-2 says that P. J. Pai was never the owner of the Launch Mangala but was only a relation of Shri Navelkar the owner, WW-1 says that he does not know to whom the Launch actually belongs. According to him Navelkar was disbursing the pay. In view of the definite averment made in the written statement which is signed by Navelkar himself it must be held that he is the sole owner or one of the joint owners of the Launch Mangala. According to the workmen on account of their trade union activities the management abruptly terminated their services without any prior enquiry or disclosing any valid reason for such termination of service. Both the workmen deny the averment made by the owners in their written statement to the effect that they were involved in violence. According to the Owners WW-1 sabotaged the steering assembly of the Launch 'Mangala' on 31-10-1973 at about 9.30 P.M. and thereafter absconded from duty. On 4-12-1973 after ascertaining his whereabouts a show cause notice dated 5-11-1973 was served on him. The workman WW-1 denied having caused any damage to the Steering system of the Launch Mangala. Copy of the show cause notice dated 5-11-1973 which is filed along with written statement of the owners, does not bear WW-1's signature to show that the original thereof was served on him. The fact that the copy of the show cause notice dated 5-11-1973 was not filed before the Assistant Labour Commissioner (C), Vasco de Gama throw some doubt on its genuineness. There is also no evidence on the side of the owners in support of the allegation made by them in their written statement. In the circumstances it must be held that the claim of the owners that WW-1 is guilty of Sabotage and also absconding from duty thereafter and for that reason he was removed from service is not true. Since no notice before termination from service was served on the workman WW-1 and the termination from service is not shown to be for any valid reason it must be held that the termination of services of WW-1 was not justified.

Regarding WW-1 the Owners allege that he took active part in violence on more than one occasion on the launch Nanda and that there are also three criminal cases and two security cases pending against him, and in view of his violent conduct they lost faith in him. The workman as WW-2 asserts that this averment is false. According to him the criminal case which was falsely filed against him had ended in an acquittal. He further submits that he was not involved in any other criminal case.

In the light of WW-2's evidence and in the absence of any evidence on the side of the owners it must be held that for no valid reason the services of WW-2 Kalidas Gopal Paradkar were terminated by the management by their letter dated 18-9-1973, and that the said termination of his service is not justified.

Point 1 is answered in favour of the workmen and against the owners.

Point 2 :

The workmen in their statement of claim prayed for reinstatement with back wages and continuity of service, but before this Court they stated that in view of the strained relations obtaining between them and their employers they do not like to enter their service once again. WW-1 has stated that after his removal from service he is pursuing his caste profession of fishing. He also stated that on the date of termination of his service he was drawing a pay of Rs. 180/- per month besides Rs. 30/- per month on an average as Night Trip Allowance. As already stated this workman has put in one year and seven months service as Khalasi on the Launch 'Mangala'. Having regard to the poor financial capacity of these launch owners in general I consider that a compensation of five months pay amounting to Rs. 1050/- will be adequate for his wrongful termination from service. This amount is inclusive of notice pay and retrenchment compensation. Regarding the workman WW-2 Kalidas Gopal

Paradkar he had put in a service of two years and three months on this Launch. The total emoluments he says he was drawing on the date of termination of service was Rs. 180/- as salary and Rs. 100/- as Night Trip Allowance. This amount of Rs. 100/- as Night Trip Allowance appears to be somewhat exaggerated and the same may be reduced to Rs. 30/- per month at the rate of Rs. 2/- per Trip. In view of the fact that this workman had put in 2 years and 3 months continuous service on this Launch, I consider that six months' wages inclusive of Night Trip Allowance amounting to Rs. 1260/- may be fixed as compensation for the wrongful termination of his service. This amount is inclusive of notice pay and retrenchment compensation. Shri Mohan Nair for the workman suggests that compensation may be fixed at 50 per cent of the total emoluments of each of the workmen from the date of termination of the services to the date of reference. I do not agree. The compensation payable to workman Krishna Bapu Naik is fixed at Rs. 1050/- and that payable to workman Kalidas Gopal Paradkar at Rs. 1260/-.

In the result it is held that the termination of services of Sarvashri Krishna Bapu Naik and Kalidas Gopal Paradkar, Launch Khalasis by the Owners of Launch 'Mangala' is not justified. Since the workmen abandoned their claim for reinstatement and prayed for compensation only, it is held that WW-1 Krishna Bapu Naik is entitled to claim compensation of Rs. 1050/- and WW-2 Kalidas Gopal Paradkar is entitled to claim compensation of Rs. 1260/- from the Owners of Launch 'Mangala'. These amounts are inclusive of notice pay and retrenchment compensation.

P. RAMAKRISHNA, Presiding Officer,

[No. L-36012(4)/74-P&D/D. IV (A)]

NAND LAL, Desk Officer

आदेश

नई दिल्ली, 11 नवम्बर, 1977

कां०आ० 3741.—केन्द्रीय सरकार की राय है कि हमारे उपायद्वारा अनुसूची में विनिर्दिष्ट विषयों के बारे में भारतीय स्टेट बैंक, हैदराबाद के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है ;

और केन्द्रीय सरकार उक्तवाद को व्यापारिगमन के लिए निर्दिष्ट करना बांछनीय समझती है ;

अतः, अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7(क) और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीछासीन अधिकारी श्री के० पी० नारायण राय होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त अधिकरण को व्यापारिगमन के लिए निर्दिष्ट करती है ।

अनुसूची

"क्या भारतीय स्टेट बैंक, हैदराबाद मॉडल, हैदराबाद के प्रबंधन में, श्री आर० एन० कृष्णन् का पदमाता शास्त्री से टाइटानायुडी शास्त्री में स्थानान्तरण करने की कार्रवाई व्यापारिगमन है ? यदि नहीं, तो कर्मचारियों के बीच अनुसूची का हकदार है ?"

[गं० एल०-12012/26/77-डी० II (ए०)]

ज्ञापक प्रकाश, अवर सचिव

ORDER

New Delhi, the 11th November, 1977

S.O. 3741.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of State Bank of India, Hyderabad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7(A) and by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal the Presiding Officer of which shall be Shri K. P. Narayana Rao with headquarters at Hyderabad and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

"Whether the action of the management of State Bank of India, Hyderabad Circle, Hyderabad in transferring Shri R. N. Krishnan from Patamata Branch to Tadikalapudi Branch is justified. If not, to what relief is the workman entitled?"

[No. L-12012/26/77-D. II. A.]

New Delhi, the 16th November, 1977

S.O. 3742.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Punjab National Bank, Simla and their workman, which was received by the Central Government.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM-LABOUR COURT, NEW DELHI

I.D. No. 86 of 1977

In re :

Shri Suresh Kumar ...Petitioner

Versus

The Regional Manager, Punjab National Bank, Himachal Region, Chaura Maidan, Simla.
...Respondent

PRESENT :

Shri L. R. Kashyap, Org. Secretary of Punjab National Bank Employees' Union.

Shri R. N. Rao, Representative of the Bank.

AWARD

Central Government vide its order No. L. 12012/96/74/LR/II dated the 25th July, 1975 made a reference as appropriate Government to Industrial Tribunal, Chandigarh in the following terms :

Whether the action of the Management of the Punjab National Bank, Jammu in terminating the services of Shri Suresh Kumar w.e.f. 2nd February, 1974 is legal and justified? If not to what relief is he entitled?

2. This reference has come up before this Tribunal for disposal after it has been ordered to be transferred in the first instance from Industrial Tribunal, Chandigarh to Industrial Tribunal, Delhi and then to this Tribunal.

3. After some evidence in the reference was recorded the compromise Ex. S/1 dated 11-4-77 was filed before the Tribunal and today the representatives of both the parties have come forward with their statements subscribing to settlement Ex. S/1 and have stated that an award in terms of this settlement be made in favour of the workman and against the Management and parties be left to bear their own costs. In accordance with the terms of settlement Ex. S/1 an award hereby is made. The settlement Ex. S/1 would form part of this award and shall be read as such. A copy of this award may be sent to the appropriate Government for necessary action at their end.

MAHESH CHANDRA, presiding Officer

Dated : the 6th August, 1977

MEMORANDUM of Settlement arrived at between the Management of Punjab National Bank, Parliament Street, New Delhi and their workmen represented by All India Punjab National Bank Staff Federation, 19, Garbarjhala Road, Aminabad, Lucknow, in the matter of industrial disputes over termination of services of S/Shri Mohinder Singh Parmar, Hukam Singh, T. R. Vaid, S. K. Kaushik, R. C. Vashisht and Kishori Lal.

Representing the Management :

Shri D. K. Gupta, Chief-Personnel,

Personnel Division, H.O. : New Delhi.

Representing the workmen :

Shri V. S. Malhi, President,

All India Punjab National Bank Staff Federation.

2. Shri O. P. Gupta, General Secretary,

All India Punjab National Bank Staff Federation, 19, Garbarjhala Road, Aminabad, Lucknow.

SHORT RECITAL OF THE CASE

Whereas the said Punjab Union and Federation have con- of S/Shri Mohinder Singh Parmar, Hukam Singh and T.R. Vaid on 9-2-1974 that of S/Shri S. K. Kaushik and R. C. Vashisht on 2-2-1974 and that of Shri Kishori Lal in November 1973 on the ground that they were temporary employees and were employed in Pong Dam Area for a Limited period for work which was of an essentially temporary nature relating to deposits mobilization and on the ground that S/Shri Hukam Singh, S. K. Kaushik, R. C. Vashisht and T.R. Vaid having appeared in the NIBM test held in December 1972 also failed to qualify in the said test.

Whereas the Punjab National Bank Employees' Union (Punjab) Jullunder, an affiliate of all India Punjab National Bank Staff Federation has raised industrial disputes regarding termination of services of S/Shri Mohinder Singh Parmar, Hukam Singh, T. R. Vaid, S. K. Kaushik, R. C. Vashisht and Shri Kishori Lal, which are pending adjudication before the Central Government Industrial Tribunal, Delhi.

Whereas the said Punjab Union and Federation have contended that all the above-mentioned six employees had been working against permanent vacancies for mobilisation of deposits and could not be treated as temporary employees and that all the 6 employees were eligible for appointment in the clerical cadre in terms of Staff Deptt. Circular No. 829 dated 5-6-1971, they being local candidates in rural areas with population of less than 10,000, though were 3rd class graduates, except Shri T. R. Vaid, who is 2nd division graduate, and were, therefore, eligible to have option for the job or NIBM test, instead of NIBM test given to 4 of them.

Whereas the Federation has further contended that the said 6 temporary employees could not be treated as temporary employees as they were allowed to work even after the appointment of temporary employees was discontinued in terms of the settlement dated 13th July, 1972, and even after 4 of them failed in the NIBM test.

The parties have mutually arrived at the settlement, the terms and conditions of which are as follows :—

TERMS OF SETTLEMENT

1. That S/Shri Mohinder Singh Parmar, Hukam Singh, T. R. Vaid, S. K. Kaushik, R. C. Vashisht and Kishori Lal shall be absorbed as confirmed hands on the initial starting salary of clerical scale.
2. That the 6 employees referred to in clause 1 above shall have no claim whatsoever in any shape or form for the temporary service put in by them nor any arrears etc. from the date of termination till the date they are absorbed in Bank Service.
3. They shall be absorbed at points of need in Himachal Pradesh Region.
4. That this Settlement shall not be cited by the All India Punjab National Bank Staff Federation as a precedent in any other case.

5. The parties undertake to file this Settlement in the office of the Central Government Industrial Tribunal, Delhi, praying that a consent award be given in terms of this settlement.

6. That the terms of this Settlement shall be implemented within 15 days after filing the same with the Tribunal's Office.

(Representing workmen) (Representing the Employer)

Sd. (V. S. Malhi) President, Sd. (D.K. Gupta) Chief
All India PNB Staff Federation Personnel
Punjab National Bank.

Sd. (O. P. Gupta) General
Secretary All India PNB Staff
Federation.

Sd. (O. P. Sehgal) General
Secretary, Punjab National Bank
Employees' Union, Punjab,
Jullundur.

Date : 11-4-77

Witnesses :

1. Sd. Illegible.
2. Sd. -do-

[F. No. L-12012/96/74/I.R III/D, II.A.]
JAGDISH PRASAD, Under Secy.

New Delhi, the 21st November, 1977

S.O. 3743.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad, in the industrial dispute between the employers in relation to the management of Messrs Saligram Modi and Company, contractor, Monidih Colliery of Messrs National Coal Development Corporation Limited, Post Office Monidih, District, Dhanbad and their workmen, which was received by the Central Government on the 9th November, 1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 49 of 1977

(Ministry's Order No. L 20012/156/74/I.R. II/D. III. A,
Dated 19-9-75)

PARTIES :

Employers in relation to the management of Messrs Saligram Modi and Company, Contractor, Monidih Colliery of Messrs National Coal Development Corporation Limited, Post Office Monidih, Dist Dhanbad.

AND

Their Workmen.

APPEARANCES :

For the Employers—Shri T. P. Choudhury, Advocate.

For the Workmen—Shri B. Joshi, Advocate.

STATE : Bihar. INDUSTRY : Coal

Dhanbad, the 4th November, 1977

AWARD

The dispute relates to 195 workmen. M/s. National Coal Development Corporation Limited have a Railway Siding at their Monidih Colliery. For the purpose of extension of this siding, they gave a contract to M/s. Saligram Modi & Co. (hereinafter referred to as the Contractor). The contract was for cutting earth and stones to clear the ground and prepare the site for the extension of the siding.

The Contractor employed these workmen and others as Earth-Cutters and Stone-Cutters on February 27, 1974. The daily wage of Rs. 2 was paid to each of them but they demanded wages in accordance with the Coal Wage Board recommendations which were much higher; and when the higher wages were not paid to them, they filed their claim before the Central Government Labour Court No. 3 at Dhanbad under Section 33C(2) of the Industrial Disputes Act. It is said that as a counter-blast to the institution of the case, the Contractor stopped these 195 workmen from work with effect from June 2, 1974. Their claim is for re-instatement as Earth Cutters and Stone Cutters with effect from June 2, 1974 and for payment of full back wages at the higher rate.

2. It is in respect of this dispute that a reference was made by the Central Government to the Central Government Industrial Tribunal No. 2, Dhanbad by its Order No. L-20012/156/74-LRII/DIIIA on September 19, 1975. The reference has been received on transfer from Tribunal No. 2 in this Tribunal on March 22, 1977 under the order of the Government of India, Ministry of Labour, No. S-11025(1)/77(i)/D. IV(B) dated February 22, 1977.

3. The Contractor resisted the claim of these workmen on a variety of grounds. It is contended that these workmen did not raise any industrial dispute with the Contractor and, therefore, the Central Government was not competent to make the reference. It is next contended that the Contractor had employed these workmen for earth and stone cutting in connection with the extension of the Railway Siding and such employment is not an employment in a mine, or in any mining operation or in any other kind of work whatsoever, incidental to, or connected with, mining operations and, therefore, the "appropriate Government" to make the reference was the State Government and not the Central Government and consequently the Tribunal has no jurisdiction to go into the dispute. On merits, the Contractor has alleged that he gave a contract in his turn to sub-contractors Bhuban Singh Choudhury and Gangadhar Choudhury on a commission of Rs. 7.50 per 100 c.f.t. and the sub-contractor themselves employed these 195 workmen; that these workmen were agricultural workers and left the job themselves when the agricultural season arrived in June, 1974 and were not stopped from work, and hence they are not entitled to any relief.

4. None of the parties appeared on the date of hearing in person, but their learned counsel were present. No evidence, oral or documentary, has been led or produced. Arguments were heard on the two preliminary questions, namely, (1) whether any industrial dispute was raised by the workmen with the Contractor; and if not, its repudiations and (2) whether the appropriate Government is the Central Government or the State Government and whether or not the reference is competent so as to confer jurisdiction on the Tribunal to adjudicate on the dispute.

5. It is not denied that the two sub-contractors sent a letter to the Asstt. Labour Commissioner (Central) about September 7, 1974 regarding the alleged illegal stoppage of these 195 workmen by the Contractor, requesting him to intervene. The Contractor attended the hearing before the Asstt. Labour Commissioner on five dates but the conciliation failed, and the reference was made. There is no evidence to show that any demand was made by the two sub-contractors or by these 195 workmen upon the Contractor or any such demand was ever rejected by him. In *Sindhu Resettlement Corporation Limited vs. Industrial Tribunal*, 1968(1) LLJ. 834, the Supreme Court has laid down that the mere demand to the appropriate Government without a dispute being raised by the workmen with their employer regarding such demand can not become an industrial dispute. A Division Bench of Delhi High Court has followed the principles laid down by the Supreme Court in *Fedders Lloyd Corporation (Pvt.) Limited vs. Lieutenant Governor*, 1970, Lab. I.C. 421 where the High Court observed that a demand by the workmen must be raised first on the management and rejected by them before an industrial dispute can be said to arise and exist and that the making of such a demand to the conciliation officer and its communication by him to the management who rejected the demand, is not sufficient to constitute an industrial dispute. In view of the above case law, I hold that no industrial dispute was raised and the Central Government was not competent to make the reference.

6. The admitted case of the parties is that the existing Railway Siding at the Monidih Colliery Project was to be extended. The proposed extension required levelling and clearing of the site of extension and this necessitated earth and stone cutting work. There was still no Railway, and much less a Railway Siding. The workmen were employed merely for the purpose of clearing the site and making it fit for the construction of the Railway and Railway Siding. Section 2(h) of the Mines Act says that a person is said to be employed in a mine who works under appointment by or with the knowledge of the manager, whether for wages or not, in any mining operation, or in cleaning, or oiling any part of any machinery used in or about the mine, or in any other kind of work whatsoever, incidental to, or connected with, any such mining operations. It is true that under Sec. 2(vi) of the Mines Act, mine includes Railways and Sidings in or adjacent to and belonging to a mine. There is no evidence to show that the Siding was being made in or adjacent to the Monidih mine and belonging to the said mine. Besides, this Siding was still not in existence but was to come up at a future time. The mining operations of loading or unloading coal or other materials connected with mining operations, would start after the Siding was completed. Mere cutting of earth and stones and their removal in order to prepare the site for the future construction of the Siding, will not amount to work in a mine and the contemplated Siding will not be included in the definition of mine under Section 2(vi) of the Mines Act. The learned counsel for the workmen placed reliance upon the decision of the Supreme Court in *Serajuddin & Co. vs. Their Workmen* 1962 (1) L.J. 453 for the proposition that the work of these 195 workmen was work in connection with mining operation, or at any rate, was incidental to, or connected with, mining operations. That decision, to my mind has no application. It is clear to me that from the definition of mine, that only such persons can be said to be employed in any mining operation who are employed for the purpose of searching for or obtaining minerals, and further the employees who are not engaged in any work, which is incidental to, or connected with, mining operations can also not be said to be employed in a mine. The same view has been taken by the Labour Court in the aforesaid L.C. Application as admitted by the learned counsel for the workmen. The appropriate Government for the purpose of making the reference was the State Government and not the Central Government. The reference is, therefore, not competent.

7. The result is that the Tribunal has no jurisdiction to adjudicate upon the dispute or to give an award.

Sd/-

K. B. SRIVASTAVA, Presiding Officer.
[No. L-20012/156/74/LR.II/D. IIIA.]

S. H. S. IYER, Desk Officer

New Delhi, the 24th November, 1977

S.O. 3744.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Baraiburu and Tatiba Mine of M/s. Karamchand Thapar & Bros. (P) Ltd., P.O. Barajamda, Distt. Singhbhum and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3 AT DHANBAD

Reference No. 15 of 1977

(Old No. of CGIT No. 2 is Ref. 44 of 1975)

In the matter of an industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947

PARTIES :

Employers in relation to the management of Baraiburu and Tatiba Mine of Messrs Karamchand Thappar and Brothers (Private) Limited, P.O. Barajamda, Distt. Singhbhum.

AND

Their workmen.

APPEARANCES :

For the employers.—Shri M. M. Saha, Advocate.

For the workmen.—Shri N. Guha, General Secretary, United Minerals Workers Union, Guu.

STATE : Bihar

INDUSTRY : Manganece.

Dhanbad, the 13th October, 1977

AWARD

This is a reference U/s 10(1)(d) of the Industrial Disputes Act, 1947, by the Government of India, Ministry of Labour under order No. L-27012/1/75-D-IV(B) dated the 30th April, 1975. The schedule of reference is as follows :—

SCHEDULE

Whether the action of the management of Baraiburu and Tatiba Mine of Messrs Karamchand Thappar and Brothers (Private) Limited, Post Office Barajamda, District Singhbhum in retrenching the 141 workers mentioned below engaged in their manganese Pits with effect from 6-3-1975 is justified ?

If not, to what relief the concerned workmen are entitled ?
List of the Workers :

1. Sri Bharat
2. Arjun
3. Bello
4. Ramhari Das
5. Sanatan
6. Pitamber
7. Lakhl
8. Basma
9. Baham
10. Ganga
11. Mahendra
12. Arjun Gope
13. Bairama
14. Naresh Purty
15. Simbhu
16. Chitra
17. Bangi
18. Parboti
19. Pellarga
20. Rambhodra
21. Gurubari
22. Jugannath
23. Jatri
24. Biro Gope
25. Mohan
26. Rajni
27. Maniya
28. Budha
29. Radhi
30. Suresh
31. Moti
32. Mafti (B)
33. Chandra
34. Sukmotl
35. Sunu
36. Khageswar
37. Putkar
38. Nanu
39. Champa
40. Ankura

41. Sakuntala
42. Ghoni Pingua
43. Pangilla
44. Raghunath
45. Ingi
46. Pradhan
47. Raibari
48. Ghono Longuri
49. Dushuni
50. Chariba
51. Gobardhan
52. Sumi
53. Gungram
54. Kaira
55. Mora
56. Dasma
57. Premchand
58. Ghanshyam
59. Guru Gono
60. Jena
61. Mani
62. Budhani
63. Jambi
64. Mangal
65. Sombari
66. Ram
67. Suraimant
68. Ghanshyam
69. Jambuna
70. Baburam
71. Sumitra
72. Jivan
73. Ladu
74. Santi
75. Jambuna
76. Sanyel
77. Parbati
78. Dukku
79. Kasturi
80. Birangi
81. Tena
82. Madev
83. Budram
84. Janga
85. Shyam
86. Lubati
87. Sombari
88. Sombari
89. Nungka
90. Rasika
91. Suru
92. Janduka
93. Jaban
94. Sapani
95. Pratap
96. Falmati
97. Chauram
98. Bimal
99. Suren
100. Sombari
101. Sukanti
102. Dudhani
103. Sunkar
104. Parboti
105. Rathore

106. Karabati
107. Raghunath
108. Mirju
109. Mora
110. Gurubari
111. Madhu
112. Radhi
113. Jambi
114. Harinath
115. Parbati
116. Gopi
117. Jadab Gilua
118. Raju Das
119. Srimati
120. Dnlari
121. Gardi
122. Karam Singh
123. Barju
124. Sachdeb
125. Muni
126. Gurubari
127. Saru
128. Sombari
129. Junai
130. Birang
131. Kodma
132. Muni
133. Sukumbari
134. Pallo
135. Sudra
136. Suru
137. Saraswati
137. Gurubari
139. Chambai
140. Shachari
141. D. K. Chakervory.

2. It would thus appear that the dispute for adjudication is the retrenchment of 141 workers of Baraiburu & Tatiba mine of Karamchand Thappar & Brothers (P) Ltd., Singbhum.

3. Sri N. Guha, General Secretary, United Mineral Workers Union in his letter No. GUM/3192 dated 11-2-1975 raised an industrial dispute regarding retrenchment of the above workmen and sought intervention of the A.L.C., Chibasa. Conciliation proceeding was started which ultimately failed and therefore a failure report was sent to the Government when the present reference was made. Letter of the union and the minutes of the proceeding are on record.

4. A written statement has been filed on behalf of the employers contending inter alia that they have an inherent right to determine the volume of their Labour force consistent with their business and organisation and also to get over the economic dead weight of labour surplus.

5. Their case is that the manganese pit at Baraiburu & Tatiba mines proved to be totally uneconomical as recovery of ore was extremely low and extractable reserves were seriously depleted. As a result since 1972 the situation started deteriorating and in 1974 about 96 workmen had to be retrenched. Even then the financial position did not improve and it became impossible to maintain the running labour force as a result of which in the month of January, 1975 the management explained its position to the General Secretary of the sponsoring union and thereafter the present retrenchment was brought about. Conditions laid down in Section 25-F of the I.D. Act were strictly followed and one month's notice was given to the concerned workmen. They were paid wages during this period, information was sent to the concerned authorities and all the conditions precedent for retrenchment were complied with.

6. It is contended that it is not correct that in April 1974 when the first retrenchment was carried out, any assurance was given to the union that there would be no retrenchment in future. On the contrary, it was made clear not only to the concerned workmen but also to the union that as and when the management would be requiring workmen, the retrenched workmen would be given preference. It is also denied that there was any attempt on the part of the management to raise manganese ore by engaging raising contractors and this could not have been done in view of the provisions of the Contract Labour (Regulations & Abolitions) Act, 1972. Although the management has a complement of highly qualified Mining Engineers it was found that even by investing a few lacs it would not be possible to expand the mining operation and it was considered necessary to limit the operation to the minimum.

7. Their case is that since 1972 they started incurring loss and when retrenchment was effected in 1975 position was no better. On account of too much of overburden the percentage of recovery of manganese ore was very low. In the circumstances there was no malafide on their part and in fact the retrenchment was effected being compelled by severe economic condition. Accordingly, it is submitted that the workmen have no case and are entitled to no relief.

8. There is a written statement on behalf of the workmen filed by the union stating therein that there were about 600 workers in the manganese section of the Baraiburu & Tatiba manganese mine of M/s. Karamchand Thaper & Bros. (P) Ltd., and by the middle of November 1973 the strength was greatly reduced and by May, June 1974 it came to about 150 and that was done with a purpose of breaking the continuous service of the workmen. Subsequently, a notice was issued by the Administrative Officer regarding retrenchment of 141 concerned workmen stating therein that on 6-3-75 their services would stand terminated. This Officer had no authority under the Metalliferous Mines Act to issue that notice.

9. It is further said that they have been working in the mines since 1968 and they were permanent and the notice was issued at a time when the company got an increase in price of the lowest grade of manganese ore @ Rs. 12 per ton and the notice was not for 30 days as provided under the I. D. Act. Although it was said that the company planned to limit the operation, in fact retrenchment was effected with a view to break the permanent services of the workmen. This retrenchment was unreasonable, unjustified and malafide and the ground taken that it was running in loss was false.

10. Their case also is that the Baraiburu & Tatiba iron ore and manganese mines having two sections, one of iron ore and the other of manganese ore, the 141 concerned workmen could have been absorbed in the iron ore section and there was absolutely no necessity for any retrenchment.

11. According to the workmen the action of the management was malafide and without any justification whatsoever and they are entitled to the reliefs claims.

12. There is a rejoinder on behalf of the employers stating therein that the manganese ore section had a labour strength of only 385 in November 1973 and not 600 and contention of the union that retrenchments were effected from time to time to break the continuous service of the workmen is absolutely unfounded.

13. It is said that a valid notice was given by an Administrative Officer of the Company who was competent to do so and due notice was taken of the length of service of the workmen for paying retrenchment compensation.

14. In paragraph 5 of rejoinder the figures showing the loss incurred since 1972 have been given and it is said that on account of the same recourse was taken to retrenchment. Due to low recovery of manganese ore and gradual depletion of extractable reserves, some of the workers had voluntarily resigned and left their job and the management continued to employ the rest till the time when it became impossible to carry the burden further.

15. According to the employers the Baraiburu & Tatiba mines of iron and manganese ores have separate establishments and it was not possible to absorb the retrenched workmen in the iron ore section of the mine.

16. To prove their case the employers have examined two witnesses, MW-1 Sri S. K. Jhajee, Administrative Officer and MW-2 Sri R. Sukumaran Nair, Accountant. They have placed on record Ext. M-1, copy of retrenchment notice dated 6-2-75, Ext. M-2 copy of notice in Form 'P', Ext. M-3 letter of authority dated 25-1-75 in favour of Sri S. M. Mahanti, Administrative Officer, Ext. M-5 & M-9 returns in Form 'J' showing monthly returns sent to the Director, Indian Bureau of Mines and director of Mines and Geology, Ext. M-6 statement of accounts for 1973 & 1975, Ext. M-7 the statement showing monthwise production, average daily employment, O.M.S. (output per manshift) earth cutting and recovery of manganese ore at the mines from January 1971 to February 1975, Ext. M-8 statement of despatches of manganese ore from January 1971 to March 1975 and Ext. M-10 sectional profit and loss account for the year ended 31st March 1974.

17. The union has examined a witness who is one of the concerned workman in Sl. No. 51, Sri Gobardhan, and has produced the letter Ext. MW-1 dated 25-2-75 written by Sri S. K. Jhajee, to Sri N. Guha, General Secretary, United Mineral Workers Union in reply to a letter of the latter requesting the employers to withdraw the strike notice. Ext. W-2 is the office copy of the letter to the manager of Baraiburu & Tatiba iron ore and manganese ore mines by Sri N. Guha and Ext. W-2/1 is the office copy of his letter dated 22-2-75 to the Administrative Officer on the same point enclosing an application of the concerned workmen with their name and thumb impression.

18. Section 2(cc) of the I.D. of the Act, 1947, defines retrenchment and Section 25-F of the Act prescribes the conditions which must be followed to make the order of retrenchment valid and operative. As defined "retrenchment means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as punishment inflicted by way of disciplinary action but does not include (a) voluntary retirement of the workman; or (b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains stipulation in that behalf; or (c) termination of the service of a workman on the ground of continued ill health.

19 Section 25-F runs as follows:—

"No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until—

(a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice;

Provided that no such notice shall be necessary if the retrenchment is under an agreement which specifies a date for the termination of service;

(b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days average pay "for every completed year of continuous service" (a) or any part thereof in excess of six months; and

(c) notice in the prescribed manner is served on the appropriate Government for such authority as may be specified by the appropriate Government by notification in the Official Gazette (b)."

20. All retrenchment is termination but all termination is not retrenchment. It is only when the termination is due to the fact that the workman discharged was surplus i.e. in excess of the requirement of the business or the industry it is retrenchment and if it is due to any other reason it is otherwise. Retrenchment may be due to economy, rationalisation in the industry, installation of a new labour saving machine etc. etc.

21. It is well established that it is within the managerial discretion of an employer to arrange and organize his business in the manner he considers best. So long as he does bona fide it is not competent for the

Tribunal to question its propriety (Parry and Co. Ltd. Vs. Paul reported in 1970 (ii) L.L.J. 429). The management has a right to organise his business in a fashion he likes for the purpose of economy and convenience and nobody is entitled to tell him now he should conduct his business (Royal Calcutta Golf Club Vs. Third Industrial Tribunal reported in 1960 (1) L.L.J. 464) so long as he acts bonafide and does not contravene any law. The management has a right to determine the volume of its labour force consistent with its business or anticipated business and its organisation. If in the process of re-organisation there is surplusage of employees, no employer is expected to carry the burden of such economic dead weight and retrenchment has to be accepted as inevitable (Parry and Co. Ltd. Vs. Paul reported in 1970 (ii) L.L.J. 429). In the Film Distributors Employees' Association Vs. Metro Goldwin Myer (India) Ltd., reported in 1962 (ii) L.L.J. 99 and in D. Macropollo and Co. Ltd., Vs. their Employees Union reported in 1958(11) L.L.J. 492 (Supreme Court) it has been said that the management has a right to take a decision to retrench the dead weight and uneconomic surplus.

22. But the justification for retrenchment has, however, to be assessed by the reasonableness of a decision taken by the management in a particular situation of actual or threatend loss.

23. In Workmen of Subond Tea Estate Vs. Subond Tea Estate their Lordships of the Supreme Court laid down the following propositions with regard to retrenchment :—

- (1) The management can retrench its employees only for proper reasons, which means that it must not be actuated by any motive of victimisation or any unfair labour practice ;
- (3) It is for the management to decide the strength of its labour force, and the number of workmen required to carry out efficiently the work in his industrial undertaking must always be left to be determined, by the management in its discretion ;
- (3) If the number of employees exceeds the reasonable and legitimate needs of the undertaking, it is open to the management to retrench them ;
- (4) Workmen may become surplus on the ground of rationalisation or on the ground of economy reasonably and bonafide adopted by the management or of other industrial or trade reasons ; and
- (5) The right of the employer to effect retrenchment cannot normally be challenged but when there is a dispute in regard to the validity of the retrenchment, it would be necessary for the Tribunal to consider whether the impugned retrenchment was justified for proper reasons and it would not be open to the employer either capriciously or without any reason at all to say that it proposes to reduce its labour force for no rhyme or reason.

24. In the instant case there is a dispute in regard to the validity of the retrenchment as it is contended on behalf of the workmen that in fact there was no loss of the company and it was a device to break the permanent servient and to get the mining operation done through Contractor. It is also said in this connection that retrenchment was effected at the time when the Mines and Minerals Trade Corporation had increased the price of manganese ore by Rs. 12/- per ton. Therefore it is necessary to consider in the guideline laid down by their Lordships whether the impugned retrenchment was justified for proper reasons or whether it was done capriciously for no rhyme or reason. In this connection it would be necessary to examine the case of the employer that they were running in loss since 1972 due to the increase in the overburden and low recovery of manganese ore and depletion of the extractable reserve.

25. Validity of retrenchment will have to be decided also within the four corners of Section 25-F of the I.D. Act as it would be necessary to determine whether it would be operative as laid down by their Lordships of the Supreme Court in the case of State Bank of India Vs. N. Sundermani reported in 1976 Lab. I.C. 769.

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26. MW-1 has stated that M/s. Karamchand Thaper and Bros (P) Ltd. took over the Baraiburu and Tatiba Mines in July'68. According to him there are two sections, one is of iron ore and the other of manganese ore.

27. Regarding deterioration in the economic position of the company with respect to the manganese ore pit the witness says that the position started deteriorating in 1972, reason being increase in the overburden, low recovery of manganese and depletion of the extractable ore. In support he has produced the balance sheet of the years ending March'73 and March'75, Ext. M-6. He has also proved Ext. M-7, statement showing monthwise production, average daily employment, O.M.S., earth cutting and recovery of manganese ore at Baraiburu and Tatiba mines for the years 1971 upto January'75 as well as Ext. M-9 statement regarding the details of despatch during the year 1971 to March'75. These are the materials on which depends the justifiability of retrenchment as according to the case of the employers it is the economic position which forced them to take recourse to this drastic step.

28. MW-2 proves the copies of returns in Form 'J' from November'73, Ext. M-9, and says that he has filed the balance sheets for the year 1973 and 1975 which will indicate the financial position of the two mines in the year 1972 and 1974.

29. According to this witness the two sections of the mines constitute one unit and accounts of the two sections are maintained jointly and the profit and loss accounts have also been prepared jointly.

30. Evidence of WW-1 is that it is not a fact that the company is running in loss and the manganese section of the mine is still in operation through contractor. According to him the workmen have been retrenched so that they may not get permanent service.

31. So far as his evidence that operation in the manganese mine is still going on through contractor, there is no reliable evidence. The witness himself says that he does not know who did the raising after their retrenchment and further that they did not complain to any authority that after retrenchment raising had continued for a month. He admits that he is not in a position to place anything on record in support of his statement that the mine is being operated through contractor since 23-6-77. Although he is still occupying one of the huts of the company, he cannot name the persons who are working since 23-6-77. MW-1 has denied that they have started working in the manganese mine with the help of contractors and also that the licence had not been surrendered as they intend to start mining operation with the help of contractors whenever opportunity arises.

32. As the evidence goes it is not possible to accept workmen's contention that after the retrenchment the company started reoperating the mine with the help of contractors. The crux of the problem, however is whether the operation of the mine had become uneconomical and it became necessary for the employers to close the mine as a result of which the concerned workmen became surplus and an economic dead weight which they were not in a position to carry on.

33. In the written statement as well as in the rejoinder of the employers the figure of loss has been given and it appears that in the period ending 31-3-72 loss was to the tune of Rs. 1,37,000/- and odd, in the period ending 31-3-73 it increased to Rs. 2,87,000/- and odd and rose to Rs. 7,70,000/- and odd in the period ending 31-3-74. Ext. M-7 is the statement showing monthwise production, average daily employment, O.M.S., earth cutting and recovery of manganese ore at Baraiburu and Tatiba mines from January'72 to February'75. It shows that the production in metric ton which was 2403 in January'75 came to 106 and to 46 in February'75. Recovery percentage of manganese ore fell down to 7 per cent in October '73 to 6 per cent in September '74 and to 12 per cent in February'75. In 1971-72 recovery percentage was as high as 39 in some months, but it fell down gradually. Ext. M-8 which shows details of despatch of manganese ore indicates that from 2502 metric tons in June'71 and 4131 metric tons in May'72 it fell down to 146 in March'74 and it was 150 in March'75. If we scrutinise Ext. M-6, statement of accounts for the year ended 31-3-73 and or ended 31-3-75 we will find that the position is not quite satisfactory although

it is with respect to the iron ore as well as the manganese ore mines both. In fact the important documents are Exts. M-7 and M-8 and they clearly establish that the economic position of the company with regard to the manganese ore pit was fast deteriorating and MW-1 Sri Jhajee has given the reasons for the same that there was increase in the overburden, there was low recovery of manganese ore and depletion of the extractable ore.

34. It is admitted that the M. M. T. C. had increased the price by Rs. 12.50 per ton of manganese ore and MW-1 says that thereafter minimum wages of the workmen were revised. Grievance of the workmen is that this increase of price was not taken into consideration when retrenchment was effected on the ground of loss. There was no separate document on behalf of the employers to indicate as to what was the impact of this increase on the overall economic position of the company. But we get from the evidence of MW-2 that minimum wages were increased. The effect of this increase in price could not have changed the position with respect to overburden, low recovery and depletion of the extractable ore Exts. M-7 & M-8 give a clear picture of the raising as well as despatch position of this ore and if raising went down affecting the despatch, certainly there can be no doubt that the economic position of the company was deteriorating. They will also indicate that as compared to the overburden, recovery of extractable ore was not at all economical. Therefore, on the materials available on record conclusion may be arrived at that the manganese ore pit section of Baraiburu & Taliba mines was not operating profitably and in such a circumstance if the employers were compelled to take recourse to retrenchment, it cannot be said that it was unjustified and mala fide and was to victimise the workmen or was an unfair labour practice. No evidence is there of victimisation and also of unfair labour practice. Although it is said on behalf of the workmen that the management took this action to break their services so that they may not become permanent, there is no material on record to warrant that conclusion, either in the shape of direct evidence or circumstantial. If we refer to Ext. M-6 balance sheet for the year ended 31-3-1973 at page 2 it would appear that the number of employees drawing emoluments in the aggregate of Rs. 2000 or more per mansem is nil. MW-1 has stated that the retrenched workers included not only miners but time-rated and monthly rated workers and staff as well. He says further that there was no reduction in the strength of officers in 1974 and 1975 as there was only one officer in the manganese section of the mine and he was the Manager. That being the position, it cannot be said that while miners were retrenched others were kept in employment. I do not find any reason as to why the management would have taken recourse to retrenchment if the manganese section of the mine had not been running in loss particularly when it is in evidence that they have not started operation again and the pit remains closed.

35. Ext. M-10 is the sectional profit and loss account for the year ended 31-3-1974 and the year ended 31-3-1975. In this statement the profit and loss of iron ore section and manganese ore section have been separately shown and it appears that the manganese ore section was gradually running in loss. This document along with Exts. M-6, M-7 & M-8 clearly indicates the financial position of the company with regard to the manganese section of the mine and if in such a circumstance the employers took recourse to retrenchment, it cannot be said that there was no justification for the same.

36. The management has filed one another piece of document to show that production of the ore was dwindling and the necessary consequences followed and thereafter there was no alternative but to retrench the surplus hand. These are returns in Form 'J' which is a monthly return submitted to the Director, Indian Bureau of Mines, Nagpur and the Director of Mines and Geology of the State. Ext. M-9 is the return for the month of February '73. Production was 480 and odd tons and there was despatch. At the pit mouth the closing stock was 3984.452 tons and at the rail head the stock was 381.040 tons. Ext. M-5 series are the returns from May '75 to March '76. Retrenchment was effected on 6-3-1975. Therefore, these returns are not of much value for our purpose but one thing is clear that month wise production went down affecting despatch and the stock available. It means that the manganese ore section of the mine was becoming uneconomical and after the strike there was no production at all and whatsoever stock there was at the

pit mouth or rail head the same was used for internal consumption and there was no export at all. These papers throw a good deal of light on the prevailing economic condition and the necessity for effecting retrenchment.

37. MW-1 has stated that with the retrenchment of the second lot of 141 workers, mining operation in the manganese ore section was completely stopped. On behalf of the workmen it is said that in 1972-73 the management engaged quite a good number of extra workers which could not have been done if the mining operation of manganese ore had become unproductive. MW-1 has stated that in 1972-73 some miners were engaged to remove the overburden. There is nothing on record to indicate that these miners were engaged for mining of manganese ore and if they were engaged for removing the overburden that cannot by itself show that production had increased. In fact overburden had to be removed to find out the position of the extractable ore and also to see if the cost of extraction was less as compared to the selling price of the ore. Therefore, there is no material for a conclusion that miners were engaged in mining operation of manganese ore and not for removal of overburden and as the documents show and the evidence of MW-1 goes it becomes abundantly clear that financial position was deteriorating and after the retrenchment of the second lot of 141 workmen production completely stopped.

38. Therefore, as the position stands retrenchment was effected for proper reasons without being actuated by any motive of victimisation or any unfair labour practice. As it is the choice of the management to decide the strength of its labour force to carry out the work efficiently, in the instant case I find that this choice was exercised discreetly as it was found that the economic position of the manganese ore section of the mine was deteriorating. If these 141 workmen had been allowed to continue, there would have been no employment for them as their number must certainly have exceeded the reasonable and legitimate needs of the undertaking. It is thus established that the management had effected retrenchment on ground of economy reasonably and bona fide adopted in the undertaking. This is the sum total of my conclusion based on the materials on record and there is nothing to show that this retrenchment was effected capriciously and without any thyme and reason. Thus the principles laid down by their Lordships of the Supreme Court in the case of Workmen of Subond Tea Estate Vs. Subond Tea Estate 1964, 1 L.L.J. 333 are fully satisfied and, therefore, the action of the management with regard to retrenchment cannot be challenged.

39. On behalf of the workmen it is contended that the mandatory provisions of Section 25-F of the I. D. Act have not been followed in as much as one month's notice has not been given and further that the notice of retrenchment has not been issued by a proper authority. Ext. M-1 is the copy of retrenchment notice dated 6-2-75 and Ext. M-2 is a copy of notice in Form 'P'. Ext. M-3 is the letter of authority dated 25-1-75 in favour of Shri S. N. Mahanti, Administrative Officer.

40. Month has not been defined in the I. D. Act. Therefore, we have to take recourse to its definition in the General Clauses Act wherein Section 3(35) it is said that "month shall mean a month reckoned according to the British calendar". According to the union's representative a clear 30 days notice ought to have been given. Section 25-F of the I. D. Act provides one month's notice. According to the definition of month which is quoted above it is the English calendar month which has to be reckoned for the purpose of deciding whether this notice will be according to that calendar or 30 days as contended. In my opinion the notice which was issued on 6-2-75 says that retrenchment would be effective from 6-3-75 and so it satisfies the requirement of Section 25-F on this point and I do not think it is correct to say that a clear 30 days notice ought to have been given.

41. There is another requirement of the section that the notice must indicate the reasons for retrenchment and retrenchment must be effected after the period of notice has expired. If we refer to Ext. M-1 it would appear that these two requirements are also satisfied. It is said that owing to uneconomic working of the mine due to low recovery of manganese ore and depletion of extractable reserves it has been decided to limit operation and as a result of the same services of the workmen, a list of which is

enclosed along with the notice have become surplus. This retrenchment was to be effected from 6-3-1975. According to the English calendar month one month would expire on 5-3-1975. Therefore, if retrenchment was to be effected from 6-3-1975 that was certainly after the expiry of the notice and for the reasons indicated therein.

42. According to Sub-section (b) of Section 25-F of the Act it is necessary that workmen at the time of retrenchment must be paid compensation which will be equivalent to 15 days average pay "for every year of continuous service" or any part thereof in excess of six months. Ext. M-4 contains sheets showing payment to the concerned workmen of all their dues including gratuity. MW-1 has stated that all the 141 workmen accepted amounts in full and final satisfaction of the entire payment. They were paid wages of the last week, retrenchment benefit, gratuity, leave wages, profit sharing bonus and all these payments were made on the 4th March 1975. WW-1 admits that after retrenchment all of them were paid their legal dues. It means that this requirement of Section 25-F of the Act has also been properly met.

43. Ext. M-2 is the notice in Form 'P' which has been sent to the Secretary to the Government of India, Ministry of Labour, New Delhi as provided under Sub-Section (c) of Section 25-F in which all the necessary details have been given. Thus also this requirement of Section 25-F has been properly met.

44. That being so, there can be no valid objection regarding the validity of the notice as provided U/S 25-F of the I.D. Act. Question is whether it was issued by a proper authority. I have already referred to the letter Ext. M-3. MW-1 has stated that this letter of authority to Shri Mahanti is under the signature of Sri H. G. Das, Director who is a nominated owner of the mine under the Mines Act. He says further that there is no bar in the Metalliferous Mines Act that the Administrative Officer cannot be authorised to issue retrenchment notice. No provisions of the above Act has been shown to me which can operate as a bar for issue of retrenchment notice by the Administrative Officer who has been authorised by the Director in that regard. In my opinion, this objection is also not tenable.

45. A reference has been made to the case reported in 1977 Lab. I.C. 509 (R. Bahadur, Petitioner Vs. University of Jodhpur and another, respondents). Under the Jodhpur University Act Section 12(5) and schedule (ii) Clause (iii) power of suspension was vested in the Syndicate but the Vice-Chancellor passed the order of interim suspension which was subsequently confirmed by the Syndicate. Argument was raised that the order of interim suspension which was passed by the Vice-Chancellor was not valid. But this was negated by their Lordships and it was said that the Vice-Chancellor was empowered to pass that order and the same having been confirmed by the Syndicate question of illegality did not arise. Applying the decision in this case it has been contended that the notice of strike given by the Administrative Officer is not valid as he had no authority to do so. I have already said above that no provision of the Metalliferous Mines Act has been pointed out to me in that connection and even if it be there, let us suppose for the sake of argument, the Director having authorised the Administrative Officer to issue the notice of strike, any defect which might be there has been cured and the validity of the notice cannot be assailed. In my opinion, the case in 1977 Lab. I.C. does not help the workmen.

46. It has next been contended that although notice was given for retrenchment in fact it was a closure of the business and thus there was something different from the notice and hence that is invalid. Although apparently it seems to be a closure, in fact it is not so as the same license is valid for both the management ore and the iron ore Section which means that the industry has not been closed, rather work in section of the industry was reduced to the minimum on account of economic crisis which led to retrenchment. In that view of the matter it cannot be said that the notice of retrenchment is invalid.

47. As the position stands, the notice for retrenchment was valid and proper and retrenchment was effected on account of the deteriorating economic condition and there was no malafide or victimisation on the part of the management and there was sufficient justification for that action.

48. On behalf of the workmen an argument has been raised that if iron ore section and the manganese ore section are the two sections of the same mine, before retrenching concerned workmen the management should have tried to absorb them in the iron ore section and that having not been done this action cannot sustain. A similar point was raised in the case of Parry & Co. Ltd. Vs. Paul 1970 (ii) L.L.J. 429 and it was said that the employer should have transferred the workmen to another unit in another part of the country. This point was rejected by their Lordships and it was said that retrenchment should not be said to be unjustified merely for the reason that the employer should have transferred the workmen to another unit in another part of the country because the liability of the employee to be transferred and the right of the employer to transfer cannot mean that there is a corresponding obligation of the employer to transfer the employees to another unit and if it was not done no inference could be drawn that he was unjustified. Balance sheet of the two sections is jointly maintained and there is a joint license for the two and they are under the same management. But on the principles of the above decision it cannot be contended that it was incumbent upon the part of the management to transfer and absorb the concerned workmen in the iron ore section of the mine.

49. MW-1 has stated that they did not take into consideration the period of service of workers in the iron ore mine at the time when the concerned workmen were retrenched. Relying on this statement it has been urged on behalf of the workmen that the management should have done so and if the period of service of even some of the workmen was more than those employed in the iron ore section, the former should have been absorbed therein and should not have been retrenched. To me it appears that the workmen cannot take advantage of the above statement and the decision of their Lordships of the Supreme Court as indicated above is against the contention.

50. To sum up, I hold that there was a valid and bonafide retrenchment and it was done after due compliance with the provisions of Section 25F of the Industrial Disputes Act, 1947 and the action of the management in retrenching the 141 workers of the Baraiburu and Tatiba mines was justified and the workmen are not entitled to any relief.

This is my award.

S. R. SINHA, Presiding Officer

[No. L-27012/1/75-D.IV.B/D.III.B]

S.O. 3745.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur, in the industrial dispute between the employers in relation to the management of Manganese Ore (India) Limited, Nagpur and their workman, (Sri John Mashi) which was received by the Central Government on the 8th November, 1977.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case Ref. No. CGIT/LC(R)(11)/77

PARTIES :

Employers in relation to the management of Manganese Ore (India) Limited, Nagpur and their workmen represented through the Samyukta Khadan Mazdoor Sangh (AITUC), P.O. Ukwa, District Balaghat (M.P.).

APPEARANCES :

For Management—Shri P. S. Nair, Advocate.

For Workman—Shri P. K. Thakur, Advocate.

INDUSTRY : Manganese Ore DISTRICT : Balaghat (M.P.)

Dated : October 30, 1977

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-27012/7/76-D

III (B) dated 21-5-1977 for the adjudication of the following industrial dispute :—

"Whether the action of the management of Mangansse Ore (India) Limited, Nagpur, in terminating the services of Shri John Mashri, Jeep Driver of Ukwa Mangansse Mine, Balaghat (M.P.) is justified? If not, to what relief, the workman is entitled?"

The Union which sponsored the dispute and the employer have reached a settlement, which has been filed and verified before me.

2. As per terms of the settlement the employer shall give a fresh appointment to Shri John Mashri on daily rated basis since the day Shri Mashri reports on duty not later than 27-10-1977. He shall not be entitled to back wages etc.

The award is given accordingly.

30-10-1977

S. N. JOHRI, Presiding Officer
[No. L-27012(7)/76-D.IV B/D. III.B.]

S.O. 3746.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur, in the industrial dispute between the employers in relation to the management of Red Oxide Mines at Barel in the Tehsil and District of Sawaimadhopur of Shri Ghasilal Arunkumar Mine Owner, Subzimandi, Jaipur and their workmen, which was received by the Central Government on the 8th November, 1977.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)**

Case No. CGIT/LC(R)(22) of 1975

PARTIES :

Employers in relation to the management of Red Oxide Mines at Barel in the Tehsil and District of Sawaimadhopur of Shri Ghasilal Arunkumar, Mine Owner, Subzimandi, Jaipur and their workmen represented through the President, Pathar Khadan Mazdoor Sangh, Kota (Rajasthan).

APPEARANCES :

For Management—Shri C. P. Joshi, Advocate.

For Workmen—Shri M. P. Sharma.

INDUSTRY : Stone Mine **DISTRICT :** Sawaimadhopur
(Rajasthan)

Dated : October 30, 1977

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-29011/12/75-DO, 3B dated 5th April, 1975 projecting the following industrial dispute for adjudication by this Tribunal :

"Whether the demand of the workmen employed in Red Oxide Mines at Barel in the Tehsil and District of Sawaimadhopur of the Ghasilal Arunkumar, Mine Owner, Subzimandi, Jaipur for payment of profit sharing bonus @ 20 per cent for the accounting years 1969-70, 1970-71, 1971-72 and 1972-73, is justified?

If not to what quantum of bonus are the workmen entitled for each year?"

2. The Union's case is that the owner of the mine is operating the same since 1968 and is earning a lot of profit every year yet no profit sharing bonus is being paid to the workmen since 1969-70. On the other hand owner's case

that he had not at all operated the mines except for initial sample testing excavation, he has employed no labour nor has earned any profit, hence the question of giving profit sharing bonus did never arise.

3. The mine owner has proved his case by his statement supported by documents. The Memo Ex. M/1 dated 25-10-1968 goes to show that 14-11-1968 was fixed for marking the boundaries of the mine at the time of handing over possession of the same in pursuance of the lease. Thus the owner came in possession of the same for the first time in the last part of the year 1968. Ex. M/2 to Ex. M/6 are the monthly returns, one for each year from 1970 to 1974 which are the relevant years. They show that except for 27 tons excavated initially for sample testing no further excavation was ever done. Ultimately vide letter dated 12-1-1976 Ex. M/7 the Government informed the mine owner that his mine lease was cancelled because he did not take steps to operate the mine.

4. All this evidence read with the statement of the mine owner, made on oath prove that he neither employed any labour nor operated the mine and consequently did not earn any profit whatsoever. Under the circumstances, the question of payment of profit sharing bonus for the years under reference, does not arise.

Award is given accordingly.

30-10-1977

S. N. JOHRI, Presiding Officer
[No. L-29011/12/75-D.O. III. B.]

S.O. 3747.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Madras, in the industrial dispute between the employers in relation to the management of M/s. India Cements Limited Sankarnagar, P.O. Tirunelveli District and their workmen, which was received by the Central Government on the 9th November, 1977.

BEFORE THIRU K. SELVARATNAM, B.A., B.L.,

PRESIDING OFFICER, .

INDUSTRIAL TRIBUNAL, MADRAS.

(Constituted by the Central Government)

Saturday, the 29th day of October, 1977.

Industrial Dispute No. 66 of 1975

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of M/s. India Cements Limited, Sankarnagar P. O. Tirunelveli District.)

BETWEEN

The workmen, represented by Thiru S. Balavinayagam, President Nellai District General Workers Union, Kokkirakulam, Tirunelveli-9.

AND

The General Manager,

M/s. India Cements Limited, Sankarnagar Post Office, Tirunelveli District.

REFERENCE

Order No. L-29011/95/75-D. O. III. B, dated 11-8-1975 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Tuesday, the 25th day of October, 1977, upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru S. Mannarswamy, authorised representative for the workmen and of Thiru S. Jayaraman for Thiruvallur M. R. Narayanaswami and N. Balasubramaniam, Advocates appearing for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following award :—

AWARD

This is a reference for adjudication by the Government of India under section 10(1)(d) of the Industrial Disputes Act, 1947 of an Industrial Dispute between the Management of Messrs India Cements Limited, Sankarnagar and their workman over the dismissal of a worker Thiru T. Ganapathy.

2. The reference is as follows :—

Whether the action of the management of the India Cements Limited, Sankarnagar Works, Sankarnagar Post Office, District Tirunelveli, in dismissing Shri T. Ganapathy, Driller, Sezhianallur Limestone Quarry from service with effect from the 28th August, 1974 is justified? If not, to what relief is the said workman entitled?

3. The Claim Statement was filed on behalf of the worker by the President, Nellore District General Workers Union, Kokkirakulam. The averments in the claim statement are briefly as follows : Thiru T. Ganapathy alias Ganapathi Thamarai Thevar (hereinafter referred to as the claimant) was working as a Driller at Sezhianallur Quarry and was drawing a monthly wages of about Rs. 450/-. The claimant was also a trade unionist and was an office bearer of the C.I.T.U. Tirunelveli Branch. By an order dated 26-8-1974, the claimant as well as some others were transferred to Nanjankulam Limestone Quarry with effect from 28-8-1974. A copy of the transfer order was served on him on 28-8-1974. The Management had taken recourse to lay-off for six months on the ground that there was electric power cut. The power cut was restored on 27-8-1974. The claimant requested the Management that as the power cut was restored, the lay off in respect of Sezhianallur Quarry also should be lifted and he should be retained in the same quarry. He opposed the transfer on the ground that the place of assignment, namely Nanjankulam Quarry was situated at a distance of 10 miles and he was not in a position to shift his family to that place. His request for retention was rejected by the Management by a letter dated 30-8-1974. Thereupon the Management filed a charge sheet against him charging him with insubordination under Rule 19F(s) and Rule 19C(R) of the Standing Orders and he submitted his explanation stating that his transfer to Nanjankulam Quarry would amount to an alternative employment which was open to the choice of the worker to work in the new place of assignment and the Management could not compel him to work in the Nanjankulam Quarry and the transfer was motivated to victimise him as he happened to be an active worker in the trade Union. Thereupon the Management sought to hold an enquiry into the charge against the claimant and issued a notice to appear for the oral enquiry to be held on 5-10-1974. In pursuance of the notice dated 24-9-1974 an enquiry was held on 5-10-1974. The enquiry was not a proper enquiry and he was not given effective opportunity to defend himself. The Management by an order dated 28-10-1974 dismissed him from service. In spite of the request of the claimant for reinstatement, the Management turned down his request by its letter dated 28-11-1974. There was Conciliation proceedings before the Assistant Labour Commissioner, Central, Ernakulam. But the Conciliation failed. Hence it was referred to this Tribunal for adjudication. The order of dismissal is not bona fide. He was victimised for his trade union activities and hence the dismissal may be set aside and may be reinstated with full back wages.

4. The Management filed a counter statement, wherein they have stated as follows : The worker, viz., Thiru T. Ganapathy was working in the Sezhianallur Limestone Quarry in the Respondent Company from 7-3-1967. All the workers including the claimant had to be laid off from 9-5-1974 due to imposition of power cut by the Government of Tamil

Nadu. Further, the mine was facing certain problems such as, the low quality of limestone and seeping of river water from Chithar River into the quarry. In view of the peculiar problems they had to encounter in the quarry, the Management did not resume the mining operations fully even after the restoration of power cut. The mine was working only one shift a day with a reduced strength of workers. In July, 1974, about 85 workers of the quarry, who were under lay off, requested the Management to provide them with alternate employment in other Quarries belonging to the Management and thereupon the Management provided work to them in the Nanjankulam Lime Stone Quarry and the Management also provided necessary transport facilities. 57 workers, including the claimant Thiru Ganapathy did not seek such alternate employment. In order to avoid retrenchment of the workers, the Management transferred 56 workers (including the claimant) from Sezhianallur Limestone Quarry to the Nanjankulam Limestone Quarry by their order dated 26-8-1974, to take effect from 28-8-1974. Except the claimant, all the other workers, viz., 55 in number complied with the above order and reported for duty at the Nanjankulam Quarry on 28-8-1974. Since the claimant did not comply with the reasonable order of the Management a charge memo was issued for insubordination and his written explanation was unsatisfactory, an enquiry was held on 5-10-1974, in which the claimant duly participated and cross-examined the Management's witnesses. Even at the stage of enquiry, the claimant did not express his willingness to obey the order of transfer and after due enquiry, the Enquiry Officer found him guilty under the charge of insubordination and the Management accepted the findings of the Enquiry Officer and terminated his services. The allegation that the enquiry was not properly held and the charge was levelled against him with mala fide intention to victimise him for his trade union activities and he was not given sufficient opportunity to defend himself are not true. The order of dismissal is perfectly valid and the punishment awarded is not at all excessive having regard to the serious charge of insubordination in the attitude of the claimant and his previous record. Hence an Award may be passed rejecting the claim of the worker for reinstatement with back wages.

5. POINT.—The point to be considered is whether the order of dismissal of the claimant-worker by the Management is justified.

6. No oral evidence was let in by both sides. Exs. M-1 to M-22 are the documents filed on the side of the Management. No document was filed on the side of the claimant-worker. The gravamen of the charge is insubordination. Under clause 19 F(s) of the Standing Orders, the punishment contemplated for insubordination is dismissal as it is construed as an act of grave nature. We have to consider whether the worker was guilty of wilful insubordination. The definite stand in the claim statement is that the Management cannot transfer him from his place of work to any other place. Such a stand can be taken only if such a transfer entails change in the condition of service and monetary loss and it is not his case. The definite case of the claimant is that the transfer was motivated to victimise him for his trade union activities and there was no bona fides in the transfer. In view of the stand taken by the claimant, I have to consider whether there was any mala fides on the part of the Management. The Management's contention is that in the Sezhianallur Quarry, they had to face certain problems. There was an electric power cut for six months. Therefore they are not able to carry on quarry work and the lay off was effected. Even after the power cut was restored they had to solve problems like seeping of river water into the quarry pits and the limestones in the quarry were not up to the required standard. In view of the foregoing problems, it would not have been possible for the Management to resume mining operations even after the restoration of power cut, with the full complement of workers, and the mine was therefore proposed to be worked after resumption in one shift only with reduced strength. Therefore the Management had to find alternate employment for the workers whom they could employ. The Management in their good intention to give alternate employment had passed transfer order as seen from Ex. M-2 in respect of 55 persons and among them, the claimant is one. Under Ex. M-2, they have been transferred with effect from 28-8-1974. Out of 55 workers, 54 workers had chosen to report for duty at Nanjankulam Limestone Quarry on 28-8-1974. But the claimant alone refused to join the Nanjankulam Quarry. As the act of the worker was

considered as gross insubordination the Management framed charges and ordered the conduct of an enquiry. It is not disputed by the worker that the other workers were transferred and had joined the new quarry to which they were assigned. He has also not stated specifically as to what prevented him to act as others did. I fail to see as to what is good for 54 workmen is not good for the claimant. The Management allowed lay-off to workers who were satisfied with the lay off rather than going to other Station. If really there was hardship for the claimant he could have chosen the lay off rather than resisting the Management's transfer. He cannot dictate to the Management as what it should do in the matter of transfer which is prerogative of the Management and the Tribunal cannot interfere with the prerogative, so long as the Management had acted *bona fide* in promoting their business. Under Ex. M-3 the claimant called upon the Management to reopen the quarry on the ground that the power cut was cancelled by the Government. It is seen from the Statement of the Management that the lifting of power cut is not the only reason for "lay off" but they had other reasons also for stopping quarrying. It is to be noted that by a letter (Ex. M-21) dated 8-12-1975 to the Assistant Labour Commissioner, the Management unequivocally stated the reasons for stopping the mining operations and even if the mine had to be re-opened the production capacity of the mine would be reduced. Therefore, one thing is clear that they had transferred 55 workers out of sheer necessity and they conferred on the workers the benefit of alternative employment, so that they can earn full wages as regular workmen. They also fully complied with requirement under Section 25(E) of the Industrial Disputes Act by giving an alternate employment in their another quarry. It is contended by the claimant that Section 25(E) contemplates a place within 5 miles but whereas the Nanjankulam quarry is at a distance of 10 miles and it cannot be said that the Management had complied with Section 25(E) of the Industrial Disputes Act. But one must remember that he was given two alternatives, one was to avail himself the benefit of lay off and the other was to join the new place of posting. If he felt that 10 miles was a distant place, he could have elected the benefit of lay-off, rather than flouting the order of transfer. In these circumstances, it is idle to contend that the Management was not *bona fide* in effecting transfer of 55 workmen, among whom the claimant is one. It is also significant to note that 54 persons accepted the offer and they joined the Nanjankulam quarry and they worked there. The contention of the claimant is that under Rule 75A of the Industrial Disputes (Central) Rules, it is necessary a notice of lay off is to be given to the Regional Labour Commissioner (Central) in Form 0-1 and a notice under Form 0-2 to be given to the Regional Labour Commissioner (Central) when the lay-off had ended, and in as much as those formalities had not been complied with, the transfer was illegal and the worker was entitled to resist the transfer. I do not think it had any relevance in the context of the case, for, it lays down only the procedure to be adopted in the matter of lay-off. Such a contention would be only valid if it contemplates any notice to the workmen before the lay-off was declared and lifted, but it is only a procedure in the matter of "lay-off" as between the Regional Labour Commissioner (Central) and the Management and the worker had nothing to do with that formality and it had no bearing on his transfer to another quarry.

(7) The next contention of the claimant is that he was not given a fair chance to defend himself and the charge sheet was motivated to victimise him for lawful trade union activities and he was chosen as target since he happened to be an office bearer of the Union. It is admitted in this case he was not willing for the transfer and he had not chosen to obey the orders of transfer. In the circumstances, the only course open to the Management was to file a charge sheet for indiscipline and insubordination and institute an enquiry. Out of 55 workers, 54 had joined the new place of work without any protest. There is no reason why the claimant should oppose his transfer and plead not only for his retention but also for others who were transferred. So, there is nothing strange in the conduct of the Management in charge-sheeting him. The next point to be considered is whether they had followed the procedure and given opportunity to defend himself. The claimant was called upon to submit his explanation and he submitted his explanation as is seen from Ex. M-8, wherein, he denied the charge of insubordination and stated that he was charge sheeted as

he was actually engaged in the Union activities and to victimise him for such activities. In this case, Ex. M-11 is the findings of the Enquiry Officer. Ex. M-11 will show that the witnesses were examined in detail. After the evidence on the side of the Management, he was given an opportunity to file a statement and he had taken a stand that his act would not amount to insubordination and he could not be dismissed from service and he should be treated as a person availing himself the benefit of lay off. In his Statement Ex. M-8 he has not offered to elect the lay-off, but on the other hand he questioned the authority of the Management to transfer him to another quarry. Now finding himself that there is overwhelming evidence against him for his act of insubordination he would change his stand and state that he was not liable to be dismissed and at the worst he would be entitled to the benefit of lay-off only. Ex. M-3 throws light on his attitude to defy the Management. Therefore, considering all the documentary evidence and other circumstances of the case I am satisfied that he was resisting the transfer to Nanjankulam Limestone Quarry and he had not joined the Nanjankulam quarry and certainly it is an act of insubordination. He may be an office bearer of the Union, but it is by itself not sufficient to come to the conclusion that the Management was actuated by *malu fide* intention to victimise him. Under the Standing Orders insubordination is a very serious matter and knowing fully well he had disobeyed the transfer orders of the Management. In these circumstances, the conduct of the Management in acting on the report of the Enquiry Officer cannot be said to be unreasonable. It is the contention of the claimant that Ex. M-13, the dismissal order of the Management passed on 28-10-1974, had given retrospective effect, namely from 28-8-1974 and as such the order itself was void and unenforceable. The learned counsel appearing for the Management cited a decision reported in 1966—1—L.L.J.—page 201 (Calcutta High Court) (Suresh Nath Shukla alias S. N. Shukla Vs. Indian Airlines Corporation and another), wherein the order of termination of the services of an employee charged with breach of trust and absconding from office was held as legal retrospectively from the date of his absence from duty. Now, in the present case, the claimant had refused to join the new station on 28-8-1974 and he was not employed subsequently and therefore retrospective effect was given from the date of transfer. At best he will only be entitled to a compensation for the period. But it will not make the order of termination illegal or void. It has not been brought to the notice of the Tribunal that there was an illegality in the procedure adopted by the Enquiry Officer and thereby a prejudice was caused to the worker. In fact, a full-fledged enquiry was held and he fully participated in it. There is no substance in the contention of the claimant that the order of termination is illegal.

(8) In the result, I find that the termination of services has been fully justified and an Award is passed accordingly.

Dated, this 29th day of October, 1977.

Illegible

Industrial Tribunal

WITNESSES EXAMINED

For both sides : Nil

DOCUMENTS MARKED

For workmen : Nil.

For Management :

- Ex. M-1/9-3-67.—Appointment order issued to the worker, (copy).
- Ex. M-2/26-8-74.—Office order transferring the workers from Sezhanallur Quarry to the Nanchankulam Quarry.
- Ex. M-3/28-8-74.—Letter from the worker to the Management requesting to reopen Sezhanallur quarry. (copy).
- Ex. M-4/30-8-77.—Reply letter from the Management to Ex. M-3 (copy).
- Ex. M-5/7-9-74.—Charge sheet issued to the worker. (copy).
- Ex. M-6/14-9-74.—Notice of temporary discontinuance of Sezhanallur Quarry issued to the Authorities concerned (copy).

- Ex. M-7/14-9-74.—Notice of temporary discontinuance of Sezhanallur Quarry issued to the Controller, Indian Bureau of Mines, Nagpur. (copy).
- Ex. M-8/17-9-74.—Explanation of the worker to Ex. M-5. (copy).
- Ex. M-9/24-9-74.—Notice of enquiry issued to the worker. (copy).
- Ex. M-10/5-10-74.—Enquiry proceedings.
- Ex. M-11/9-10-74.—Findings of the Enquiry Officer.
- Ex. M-12.—Minutes of discussion held by the Assistant Labour Commissioner (C)—I, Madras with the parties on 6-9-74. (copy).
- Ex. M-13/28-10-74.—Dismissal order issued to the worker.
- Ex. M-14/30-10-74.—Letter from the Management to the Quarry Manager, Nanjankulam Limestone Quarry giving particulars of wages of the worker. (copy).
- Ex. 15/5-11-74.—Letter from the worker to the Management objecting to the dismissal order.
- Ex. M-16/28-11-74.—Reply letter from the Management to Ex. M-15. (copy).
- Ex. M-17/21-6-75.—Intimation of reopening of Sezhanallur Limestone Quarry to the Controller, Indian Bureau of Mines, Nagpur. (copy).
- Ex. M-18/21-9-74.—Letter from the Union to the Management requesting to reopen the Quarry and re-transfer of 55 workers from Nanjankulam.
- Ex. M-19/20-10-75.—Letter from the Union to the Regional Labour Commissioner (Central), Madras for lifting the lay-off. (copy).
- Ex. M-20/10-11-75.—Letter from the Assistant Labour Commissioner (Central), Ernakulam to the Management regarding the representation of the Union. (copy).
- Ex. M-21/8-12-75.—Letter giving comments on the representation of the union sent to the Assistant Labour Commissioner (C), Ernakulam.
- Ex. M-22.—Standing Orders of the India Cements Quarries.

Note : Parties are directed to take return of their document/s within six months from the date of the Award.

THIRU K. SEIVARATNAM, Presiding Officer

[No. L-29011/95/75-D.O. III.B.]

MANJIT SINGH, Under Secy.

New Delhi, the 26th November, 1977

S.O. 3748.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur (Madhya Pradesh) in the Industrial dispute between the employers in relation to the management of Patherkhera Colliery of Messrs National Coal Development Corporation Limited, District Betul (Madhya Pradesh) and their workmen, which was received by the Central Government on 8th November, 1977.

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)/50/1975

PARTIES :

Employers in relation to the management of Patherkhera Colliery of Messrs National Coal Development Corporation Limited, Post Office Patherkhera, District Betul (M.P.) and their workmen represented through the SK. M. Sangh, (INTUC) P.O. Patherkhera Colliery, District Betul (M.P.).

APPEARANCES :

For employers.—Shri P. S. Nair, Advocate.

For workmen.—Shri P. K. Thakur, Advocate.

INDUSTRY : Coal Mines DISTRICT : Betul (M.P.)

JABALPUR, the 31st October, 1977

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. L-22012/27/74-LRIV-D.O. III.B dated 23rd August, 1975, for the adjudication of the following industrial dispute :—

“Whether the management of Patherkhera Colliery of M/s. National Coal Development Corporation Ltd., P.O. Patherkhera, District Betul (M.P.) is justified in not paying to Sri C. P. Raghu the wages as admissible to a Store Issue Clerk for the period he had worked in the Stores and in transferring him from the stores to a different section as a peon? If not, to what relief is the said workman entitled.”

2. It is not disputed that Sri C. P. Raghu workman was detailed to work in stores in Patherkhera mines since 1967 and he continued to work there till 1974 when he was transferred from there to work as peon. No extra remuneration or scale of pay of store issue clerk was paid to him for doing that work. The pay scale of store issue clerk is 180-5-210-7-273 while the pay scale of the peon is 140-3-170-4-178. Of course Sri Raghu has not much of educational qualification still he managed the affairs satisfactorily.

3. The case of the Union is that Sri C. P. Raghu should be paid in the scale of store issue clerk in which position he actually worked. His representations to that effect led to his transfer from that post of store issue clerk rather unreasonably to the post of a peon in the lower scale.

4. The case of the management is that Shri Raghu worked only as store issue Mazdoor and never as store Issuer or store issue Clerk. Promotion to the higher scale post is on the basis of seniority-cum-education. Sri Raghu lacks experience and ability as well as necessary educational qualification. Hence he is not entitled to wages of store issue clerk. It is further alleged that industrial dispute never came into existence as no dispute was raised with the management. Moreover the reference presupposes that Sri Raghu worked as store issue clerk when this position was never accepted or conceded by the management. It remained a disputed question hence the reference is misconceived.

5. The last two legal issues raised by the management affecting the validity of the reference, were decided against it as preliminary issues by this tribunal on 12-11-1976. Hence now only the factual issue of wages for the work done needs consideration and remains to be decided.

6. During the recording of evidence by the Commissioner a controversy was raised by the management that it was not a store at all; the one that existed on the spot was only a distribution centre but such a controversy is not envisaged in the pleadings where it has not been denied that there was a store. The management disputed only the designation of Sri Raghu. According to it Sri Raghu was only a store issue mazdoor and not a store issue clerk. A controversy which was not raised in the pleadings cannot be entertained at the evidence stage. This Tribunal will therefore presume the factually admitted position that Sri Raghu was working in the store. The statement of Sri Vashishtha Narain Lal (W.W. 1) proves that for establishing its belated stand the management put a board only 3 months ago designating it as ‘Material Distribution Centre’. Such a move merely for denying the wages due to a workman is rather unbecoming of a public sector management.

7. Now according to the Store Manual of N.C.D.C. the smallest unit is Colliery store. Sri C. P. Raghu in his cross-examination before me clearly stated that he used to bring store material from the Sub-Area store and then used to issue it to the mine workers. It catered the needs of the Colliery i.e. of both the pits that existed there at that time. It had thus the status of colliery store.

8. According to para 110 of the Manual colliery store was to be managed by a store keeper. Sri Raghu was alone looking after the whole work. He was bringing the material, arranging it, maintaining the register and issuing the same on receipt of slips Ex. W/1 to Ex. W/168. He was thus the sole incharge of the same and the necessary inference that follows is that he was performing the duties of store issue clerk.

9. The Manual does not contemplate any post of a store issue helper Mazdoor, and it is not clear whom he was helping if he was simply a helper mazdoor. It cannot be conceived that helper mazdoor is required to maintain the registers also. Management's plea is therefore untenable and it is clear that Sri Raghu worked as a Store Issue Clerk looking to the nature of duties that he performed. Sri Pranab Kumar Ganguly (W.W. 2) Store Keeper in Sub-area Store has fully corroborated Sri Raghu on this point. Even Sri S. L. Roy (M.M. 2) Senior Mining Engineer stated that during his time an assistant Store-keeper used to manage that store. Thus Sri Raghu was in fact discharging the duties of Asstt. Store Keeper. Sri Roy agreed that a person should be paid for the work he does.

10. The main grievance against Sri C. P. Raghu seems to be that he is not educationally qualified to hold that post. In fact no qualification is prescribed for promotees nor the learned Counsel for the management has been able to show as to what minimum educational qualification is prescribed for that post. He worked on the post for 7 years. Nobody has come forward to say that his work was unsatisfactory or that he committed errors and confusion in the discharge of his duties on account of his not passing a particular standard of education. Most of the slips are in English. He was correctly complying with such requisitions. This means that he could read and understand English. Registers maintained by him also show entries in English. He had thus workable literacy.

11. It is really a hardship to remove a person from a post and transfer him to some inferior category after successful discharge of duties by him for a long period of 7 years. However, he is not the senior most and selection of a permanent incumbent on the post lies within the discretion of the management. Seven year's working does not create a lien on the post unless one is confirmed in that post. Sri Raghu's substantive post was peon and he has reverted back to that post. This Tribunal has no jurisdiction to foist a man on a post against the wishes of the management when neither the man has acquired any right to that post nor a better entitled and better qualified man is not available to the management who can discharge the duties much more efficiently.

12. It is, therefore, held that the management do pay to Sri C. P. Raghu the difference so that he gets the emoluments of store issue clerk or assistant store keeper for the period during which he actually discharged those functions. His reversion as peon may be harsh but cannot be said to be unjustified. Reference is answered accordingly. Management do pay Rs. 100 as costs to the Union.

Dated : 31-10-77.

S. N. JOHRI, Presiding Officer

[No. L-22012(27)/74-LRIV-D.O.III(B)/DIV(B)]

BHUPENDRA NATH, Desk Officer

New Delhi, the 26th November, 1977

S.O. 3749.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the management of Life Insurance Corporation of India, Bombay and their workmen, which was received by the Central Government on the 3-11-1977.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

Reference No. CGIT-10 of 1976

Employers in relation to the Management of Life Insurance Cor. of India Bombay.

AND

Their Workmen

APPEARANCES :

For the Management.—1. Shri A. W. Dharwadkar, Deputy Secretary (Personnel). 2. Shri Y. Ramchandran, Administrative Officer.

For the Workmen.—1. Shri B. W. Vaidya, Advocate, 2. Shri T. S. Palkar, President, I.I.C. Employees Union. 3. Shri S. R. Chaubal, General Secretary, Insurance Employees Association.

INDUSTRY.—Insurance.

STATE.—Maharashtra.

Bombay, the 12th October, 1977

AWARD

The Government of India, in the Ministry of Labour, by its Order No. L.17011/12/74-I.R. I/D. II.A., dated the 13th October, 1977, referred the following dispute for adjudication under Section 10(i)(d) of the I.D. Act,

SCHEDULE

"Whether the demand of the Insurance Employees' Association Bombay, for grant of Special Casual Leave to the following employees of the Life Insurance Corporation, Bombay residing in Bombay and its suburbs, who could not attend to their duties during the period of Railway strike from 8th May, 1974 to 27th May, 1974 is justified ?

1. All employees who were absent on 8th, 9th and 10th May, 1974 irrespective of their place of residence.
2. All employees residing beyond Mahim on the Western Railway and Sion on the Central Railway, who were absent from duties on 11th, 12th, 13th and 14th May, 1974.
3. All employees residing beyond Borivali on the Western Railway and Thana on the Central Railway, who were absent from duties on any day during the period from 15th to 27th May, 1974.

If so, to what relief are these workmen entitled ?

After the parties had filed their respective written statements and copies of documents, the matter was fixed for hearing on 7-9-1977. After hearing submission in part the hearing was adjourned to 12-10-1977 as the parties expressed desire to negotiate for a settlement. On 12-10-1977 the parties filed a settlement dated 12-10-1977 arrived at by them and prayed that this Hon'ble Tribunal be pleased to make an award in terms of thereof.

I have gone through the terms of the Settlement and find them just and reasonable and pass my Award in terms of the Settlement. Under the circumstances no cost is being paid.

J. NARAIN, Presiding Officer,

[No. L. 17011/12/74-LRI/DIIA]

New Delhi, the 21st November, 1977

S.O. 3750.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Govt. hereby publishes the following award of the Central Government Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to Bank of Baroda Ahmedabad and their workmen which was received by the Central Government on the 1-11-77.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

Reference No. CGIT-8 of 1977

PARTIES :

Employers in relation to Bank of Baroda, Ahmedabad.

AND

Their Workmen.

APPEARANCES :

For the Workman.—(1) Shri M. S. Udesbi, Advocate.
(2) Shri K. N. Mehrotra, Member Central Executive-Committee of N.O.B.W. and General Secretary of P.N.B.W.O.

For the employers:—(1) Shri C. V. Pavaskar, Labour Adviser. (2) Shri R. B. Pitale, Labour Adviser.

INDUSTRY : Banking.

STATE : Maharashtra.

Bombay, dated 30th September, 1977

AWARD

1. The Central Government in exercise of powers conferred under section 10(1)(d) of the Industrial Disputes Act, 1947 has referred the following dispute for adjudication by this Tribunal:—

SCHEDULE

Whether the action of the management of the Bank of Baroda, Bhadren Branch, in terminating the services of Shri K. R. Mehta with effect from the 19th December, 1974 is justified? If not, to what relief is the said workman entitled?

Regard being had to the preliminary point that has been argued, it is not necessary to refer in detail to the facts of this case. Suffice it to say that the case of the workman, Shri K. R. Mehta, is that he was in employment of the Bank of Baroda for a continuous period of about fourteen months i.e. from 25-10-1973 to 19-12-1974 without any break. His services were terminated and the workman has challenged this termination.

2. The preliminary objection raised by the Bank is that the present Reference covers the same issue, namely, the reinstatement of Shri K. R. Mehta, which has been disposed of by this Tribunal in Ref. No. 38 of 1975 and again in the Ref. No. 6 of 1976. The Bank's contention is that the award of Ref. No. 6 of 1976, which was given on 9-3-1977, will subsist for a period of 12 months and so long as the award subsists no industrial dispute can be raised. The Bank's further contention is that this Reference is barred by the principles of res-judicata. It is also their contention that after the award in Ref. No. 6 of 1976 no fresh dispute has been raised as there was no demand for reinstatement and consequently the Government had no material to come to the conclusion that an industrial dispute exists and as such this reference is bad in law.

3. In order to appreciate the arguments advanced, it would be necessary to refer to the wordings used in the two Government Notifications and the kind of awards that this Tribunal passed. Government Notification in respect of Ref. No. 38 of 1975 recited that "Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bank of Baroda and their

workmen in respect of the matters specified in the Schedule hereto annexed....." Two preliminary objections were raised before my predecessor-in-office who heard the Reference. The first was that no industrial dispute existed between the Bank and the workmen and as such the Reference was invalid and bad in law. The second one was that the workman, Shri K. R. Mehta, had not served any demand on the management of the Bank asking for his reinstatement prior to approaching the Conciliation Officer and, therefore, it was not an industrial dispute. On the basis of the letter sent on 20-12-1974 by the workman, it was held that this constituted a demand. Although the letter was not couched in strong terms demanding the reinstatement, still it indubitably demanded reinstatement immediately with retrospective effect from 25-10-1973. It was further held that it was a case of individual dispute between the workman, Shri K. R. Mehta, and the Bank under section 2A of the Industrial Disputes Act and, therefore, the Order of Reference should have stated so. Again since there was no demand made by the Union on the Bank and, therefore, from this point of view also the dispute was not an industrial dispute. Accordingly one of the preliminary objection raised by the Bank was upheld and the Reference was held to be incompetent and it was rejected.

4. After the above Order, Government by Notification dated 20-7-1976 made Ref. No. 6 of 1976 mentioning therein that it was a dispute between the Bank and the workman, Shri K. R. Mehta. Here again the matter was first heard on preliminary point and two objections were raised. The first was that the award dated 1-5-1976 passed in Ref. No. 38 of 1975 was received on 11-6-1976 by the Central Government and published by Notification dated 17-6-1976. The award being in force and no notice for its cancellation having been given under section 19(6) of the Act, no fresh dispute could be raised. It was also the Bank's contention that no specific demand for reinstatement was served on the management and as such there could be no industrial dispute within the meaning of Section 2(k) of the Act. This Tribunal by its Order dated 10-2-1977 held that section 19(6) operated as a bar to the Reference and consequently the second Reference was rejected.

5. The above bar has now been removed inasmuch as by a Notification dated 26-4-1977 in exercise of powers conferred by the first proviso to sub-section 3 of section 19 of the Industrial Disputes Act, the Central Government reduced the period of operation of the two aforesaid Awards upto 3rd May, 1977. Thus in view of this Notification objections based on the provisions of section 19 of the Industrial Disputes Act now fall to the ground.

6. Now as to the question of res-judicata. This much, however, is clear that in both the two previous references the substantial dispute, namely—whether the action of the management in terminating the services of Shri K. R. Mehta was justified or not—remains undecided. What was decided was the preliminary objection and technical matters which did not touch the substantial question. Therefore, the dispute has not been heard and finally decided on merits. In the circumstances I am of opinion that this is a case where neither res-judicata nor principles of res-judicata can be invoked. In this connection, reference may be made to the decisions of the Supreme Court in the cases of Shri Sheodan Singh v/s. Daryao Kunwar (1966 Supreme Court 1332) & the Workmen of the Straw Board Manufacturing Co. Ltd. v/s. M/s. Straw Board Manufacturing Co. Ltd. (Supreme Court Labour Judgements 1974 Page 91).

7. It seems that the question of specific demand was not urged at the time the second Reference was heard on the preliminary point. So no clear decision on the point was recorded. I entirely agree with the view that was taken regarding the letter sent on 20-12-1974 in Ref. No. 38 of 1975. Moreover, it was not necessary that a fresh demand should have been made. In this connection, reference may be made to the case of the Management of Radio Foundation Engineering Ltd. & another v/s. State of Bihar & others (1970 (AIR) Patna 295). It was held there that :

"dispute about the reason for stoppage of work is an industrial dispute within the meaning of Section 2(k). In such cases no specific demand by the

workmen was necessary to bring into existence an industrial dispute. Exercise of the powers under Section 10 of the Act would not depend upon the relief asked for by the workmen. The sine qua non of the exercise of the power is that in the opinion of the appropriate Government some industrial dispute must exist or there must be an apprehension in regard to that. A dispute need not necessarily be preceded by a demand and a refusal in express terms by the parties concerned".

8. For the above reasons the preliminary objections raised on behalf of the Bank are over-ruled. Hearing Fee Rs. 25.

J. NARAIN, Presiding Officer,

[F. No. L-12012/96/75-D II A]

New Delhi, the 21st November, 1977

S.O. 3751.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the Bank of Maharashtra, Poona and their workmen, which was received by the Central Government on the 8-11-1977.

AWARD

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

Reference No. CGIT-3 of 1976

PARTIES :

Employers in relation to Bank of Maharashtra, Poona.

v/s.

Their Workmen

APPEARANCES :

For the Employers.—Shri N. D. Juvekar, Advocate.

For the Workmen.—Shri J. G. Gadkari, Advocate.

INDUSTRY : Banking

STATE : Maharashtra

Bombay, the 7th October, 1977

AWARD

1. The Central Government by Notification dated 15th May, 1976 and in exercise of powers conferred by section 10(1)(d) of the Industrial Disputes Act has referred the following dispute for adjudication by this Tribunal :

"Whether the action of the management of the Bank of Maharashtra, Poona, in reverting Shri V. N. Bhagwat from Junior Officer to clerk with effect from the 21st November, 1974 is justified? If not, to what relief is the said workman entitled?"

2. Bank of Maharashtra Employees' Union has filed a written statement on behalf of the workman, Shri V. N. Bhagwat. Its contention is that Shri V. N. Bhagwat has been an employee of the Bank of Maharashtra (hereinafter referred to as 'Bank') for twelve years. Prior to his promotion as Junior Officer, he was working as a Cashier at Ambedkar Road branch of the Bank. The Bank invited applications for promotion from Clerical cadre to Junior Officers' cadre vide bank's circular dated 14-2-1974. Shri V. N. Bhagwat appeared at the written test and was declared successful and was selected and was appointed as Junior Officer by Bank's letter dated 22-7-1974 (Annexure 'C' to the written statement of the Union). On or about 26th April, 1974,

when Shri V. N. Bhagwat was employed as a cashier, shortage of Rs. 7,680 took place and he was asked to make good the amount which he did later. The Union's contention is that this incident did not cast any doubt on the integrity of Shri Bhagwat and that it was treated as a human failure without any stigma. On 16-10-1974 Shri Bhagwat made an application for proper fitment and fixation of his salary. Instead of taking decision on this application, the Bank is said to have abruptly reverted him to clerical cadre by their letter dated 21-11-1974 on the ground that while working as a cashier he had proved highly negligent since there had been a shortage of Rs. 7,680. According to the Union this order of reversion is illegal, improper and unjustified. An opportunity should have been offered to the workman to explain his misconduct and on consideration thereof any punishment, if any, should have been imposed. The offer of promotion was made by the Bank's letter dated 27-7-1974, which amongst others, said that :

(1) The appointment will be on a probation of six months commencing from the date of training.

(2) He will be confirmed in officer's grade after completion of the probationary period and if his overall performance and conduct during the period are found to be satisfactory and in case this offer is acceptable, he should return the copy thereof duly signed by him in token of his acceptance. Shri V. N. Bhagwat accepted this offer and forwarded the copy thereof to the Bank. It is contended that the said offer and acceptance amounts to a contract between the Bank and the workman and violation of this contract is illegal, improper and unjustified and that there should have no reversion for a ground that had occurred prior to the promotion.

3. The Bank has filed a written statement wherein it is contended that due to gross negligence shortage of Rs. 7,680 took place when Shri V. N. Bhagwat was working as a cashier. It is true that he refunded the amount later, but the fact that the Bank never treated the shortage as a human failure is denied. The application dated 16-10-1974 for proper fitment is said to have no bearing on the question of his reversion. The order of reversion having been passed within the period of probation the workman had not acquired any status or any vested right over the post of Junior Officer and when the Bank thought that he was unsuitable to be retained as a Junior Officer he was reverted and this did not amount to any punishment. Even if any term of the contract had been violated at the maximum it will be wrongful and for the same the only remedy to the employee will be a suit for damages and if the workman wants enforcement of his rights for specific performance, this Tribunal has no jurisdiction to grant such a relief. It is also contended that the subject-matter of the present Reference does not fall in any of the subject-matters specified in Schedule II or III of the Industrial Disputes Act.

4. On the point of shortage that was detected on 26th April, 1974, while Shri Bhagwat was working as a cashier, and for what happened thereafter, there is both oral and documentary evidence. The particular branch, in which the workman was working, was under the jurisdiction of Shri R. V. Rajawade (EW-1) who was the Divisional Manager of North Division, Bombay those days. On getting information of the shortage the witness went to the Branch immediately and verified the cash and asked Shri Bhagwat to make good the shortage. Thereafter he submitted the report (Ext. E-8) dated 13th May, 1974 to the Assistant General Manager and thereafter it has been forwarded to the Staff Division at Poona. It is that division which deals with the question of the promotion to the members of the staff. On a confidential enquiry the witness found that Mr. Bhagwat was honest, sincere and that it was not a theft case, but a case of excess payment due to absent-mindedness of Shri V. N. Bhagwat. Accordingly further instruction was sought and, meanwhile, the Agent was asked not to allow Shri V. N. Bhagwat to work as a cashier.

5. I have already stated above that by Order dated 21-11-1974 Shri V. N. Bhagwat was reverted from his post (Ext. 'D' to the written statement of the Union). Before that date he had already been promoted as Junior Officer on 22-7-1974 (Ext. 'C'). Three points arise for consideration on the above facts. The first is that the order of reversion was passed without holding any enquiry and without giving any opportunity to Shri Bhagwat to explain his conduct. Secondly, the fact that Shri Bhagwat was given

promotion on 22-7-1974 clearly indicates that the shortage was treated as no misconduct and, thirdly, the harsh decision came as a result of punishment for the application (Ext. W-4) made on 16-10-1974 for proper fitment and refixation of his pay.

6. The serious question for consideration is whether any explanation was called for from Shri V. N. Bhagwat or not. A reading of the report (Ext. E-8) suggests that enquiries had been made from Shri Bhagwat and thereupon certain facts mentioned in the report (Ext. E-8) were deduced. The Enquiry Officer, Shri R. V. Rajwade (EW-1) was specifically questioned in this regard. His answer is that no explanation was called for from Shri Bhagwat. This shows that even if a few questions were put to Shri Bhagwat, no explanation as to why shortage took place was called for from him. I find substance in the contention that before taking the drastic action of reversion, rules of natural justice, namely, affording an opportunity to explain the shortage, were not observed.

7. The written test for appointment to the post of Junior Officer was held on 31-3-1974 and promotion was made on 22-7-1974. Shortage had already been detected on 26-4-1974 and it is invidious of Shri R. V. Rajwade (EW-1) that at the time of promotion service record is considered by the Staff Division at Poona. The report regarding the shortage had been made on 13-5-1974 and it does not stand to reason that this had not been considered when order for promotion was passed more than two months later i.e. on 22-7-1974. Therefore, I find substance in the contention that the shortage was not viewed by the authorities concerned as such a serious lapse as to debar Shri Bhagwat from promotion to the post of Junior Officer.

8. Application for fixation of pay was made on 16-10-1974 (Ext. W-4). Letter dated 24-10-1974 (Ext. E-6) shows that it was forwarded by the Divisional Manager, North Divisional Office, Bombay to the Staff Division at Poona. It appears that the original letter dated 16-10-1974 sent by the workman concerned had not been forwarded to the Staff Division and, therefore, letter dated 29-10-1974 (Ext. E-5)

sought for a copy of the letter dated 16-10-1974. The reply was given by letter dated 1-11-1974 (Ext. E-4). From the note made on this letter, it appears that again the copy was sought from Shri Bhagwat. Be that as it may, this shows that correspondence was going on regarding refixation of salary and ultimately the order of reversion was passed on 21st November, 1974. Regard being had to the sequence of events, it cannot be ruled out that the letter dated 16-10-1974 had something to do with the question of reversion.

9. Now as to the objection whether this Tribunal has jurisdiction to give award on the present question. An argument was advanced that the question of validity or invalidity of reversion is not enumerated in the Second Schedule or Third Schedule and as such this Tribunal has no jurisdiction to deal with this reference. It seems to me that this argument is founded on a misreading of the Section 10(1)(d) of the Industrial Disputes Act, under which Reference has been made to this Tribunal. Sub-clause (d) says—"whether it relates to any matter specified in the II Schedule or III Schedule." The meaning of this clause, in fact, is—whether or not it relates to any matter specified in the II Schedule or III Schedule. Admittedly, the present is an industrial dispute and as such terms of Section 10(1)(d) are satisfied and there is no force in the objection raised.

10. In the result, my award is that the action of the Management of the Bank of Maharashtra in reverting Shri V. N. Bhagwat with effect from the 21st November, 1974 is not justified and that he is entitled to be promoted to the rank of Junior Officer.

11. Reference is answered accordingly.

J. NARAIN, Presiding Officer.

[F. No. L-12012/150/75-DIIA]

JAGDISH PERSHAD, Under Secy.

